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Thursday, August 31, 1961
Bhadra 9, 1883 (Saka)

LOK SABHA DEBATES

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Volume LVI, 1961/1883 (Saka)



FOURTEENTH SESSION, 1961/1883 (Saka)
(Vol. LVI contains Nos. 1 to 10)

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NEW DELHI

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LOK SABHA DEBATES

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LOK SABHA

Thursday, the 31st August, 1961/
Bhadra 9, 1883 (Saka).

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Central Industrial Extension Training Institute

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*1098. { Shri Shree Narayan Das:
Shri Radha Raman:

Will the Minister of Commerce and
Industry be pleased to state:

(a) the progress made in the direction of the establishment of a Central Industrial Extension Training Institute for which the Ford Foundation has sanctioned some grant;

(b) the total cost involved and the amount sanctioned by the Foundation;

(c) the precise scope and function of the Institute?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) Suitable buildings for temporarily housing the Central Industrial Extension Training Institute at Hyderabad have been selected and the State Government have been requested to acquire and place them at the disposal of the Government of India.

The Principal of the Institute has been appointed and action is in hand
1079(A1)LSD—1.

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to recruit the necessary staff—both Indian and foreign.

The first course in the Institute is expected to start in the beginning of January, 1962.

(b) The scheme is financed jointly by the Government of India and the Ford Foundation. The Government of India contribution is estimated to be about Rs. 2 lakhs a year. The sanctioned budget allocation for the year 1961-62 is Rs. 2,85,000. The Ford Foundation have sanctioned a grant of \$600,000 for the first five years.

(c) The main functions of the Institute are:—

(i) to improve the Extension Services including training of staff of the Central Small Scale Industries Organisation and the Industries Departments of State Governments for the development of small scale industries;

(ii) to undertake studies on subject matter, teaching methods and communication materials required for the development of small scale industries and to maintain contacts with organisations conducting similar studies in India and abroad.

Shri Radha Raman: May I know the number of persons who will be recruited for this training and the method of recruitment?

Shri Manubhai Shah: There will be four or five foreign technicians under the Ford Foundation grants, and four or five directors as counter-studies or under-studies under the foreign experts. They will be recruited like all other technical officers

through a proper advertisement and by a proper selection board.

Shri Radha Raman: May I know whether the States will also participate in meeting a part of the expenditure or not?

Shri Manubhai Shah: There will be about 80 officers annually to be re-oriented in this programme which also will include the nominees of the State Governments, and they will participate only to the extent of bearing the expenses of such trainees on their behalf.

Shri Radha Raman: May I know whether, in the matter of recruitment of such officers as will get training here, the Government have any plan for recruiting them regional-wise or State-wise or whether it will be from a common centre?

Shri Manubhai Shah: It will be State-wise or region-wise.

Shri Radha Raman: May I know their number?

Shri Manubhai Shah: It would be 40 per half year and 80 for a full year.

Shri Nagi Reddy: May I know the remuneration that will be paid to the foreign technicians that are taking part in this?

Shri Manubhai Shah: That will be against the Ford Foundation grants, and we will know it only when the appointment is made by them.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूँ कि इस इंस्टिट्यूट के लिये जो अधिकारी भरती किये जायेंगे उन के लिये क्या नियम रखे जायेंगे क्या वे स्टेटवाइज भरती किये जायेंगे या सारे देश से योग्यता के आधार पर लिये जायेंगे ?

श्री मनुभाई शाह : जैसा मैंने बतलाया, वे स्टेटवाइज लिये जायेंगे। उन को इस सम्बन्ध में कुछ कड़ी योग्यता दिसलानी होगी। जो इसमें कानिसे सम्मले जायेंगे उन्हीं को लिया जावेगा।

Dr. Sushila Nayar: May I know where this institute will be located? Secondly, may I know whether the Ford Foundation experts will levy the expenditure on the same basis as for other foreign experts, namely, our paying the internal expenses and salaries, etc., and their paying the rest, or whether the Ford Foundation will bear the total expenditure on this score?

Shri Manubhai Shah: The institute will be located at Hyderabad. The Ford Foundation will pay the foreign expenses, and as the hon. lady Member has rightly pointed out, the Indian costs will be borne by us.

Dr. Sushila Nayar: How much will be the Indian cost?

Shri Manubhai Shah: That is given in the statement. Rs. 2 lakhs a year will be the contribution from the Central Government towards the expenses of the staff and various other matters.

Shri Nagi Reddy: What is the contribution of the Ford Foundation to this institute?

Shri Manubhai Shah: Rs. 30 lakhs is the total, which will include expenditure on the experts plus equipment and various other things.

Shri Nagi Reddy: What is the total expenditure that is going to be incurred on this institute other than the grant that is now being offered by the Ford Foundation?

Shri Manubhai Shah: This will be quite an additional grant. The Ford Foundation's commitments are very widespread; they have certain things in the Ministry of Education, Ministry of Scientific Research and Cultural Affairs, and so on.

Mr. Speaker: What exactly will be the additional expenditure?

Shri Manubhai Shah: Rs. 30 lakhs will be the additional expenditure.

Shri Nagi Reddy: I want to know the amount on our side.

Shri Manubhai Shah: On our side, it is Rs. 2 lakhs a year plus certain Indian costs which will be borne from year to year.

मंगला बांध

*११०१. श्री प्रकाशवीर शास्त्री :
क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि समाचारपत्रों में यह समाचार निकला है कि मंगला बांध बनाने के लिये पाकिस्तान ने विदेशों से ढेंडर मांगे हैं और अक्तूबर में वह उस पर निर्णय भी करेगा;

(ख) यदि हां, तो क्या सरकार ने इस की वास्तविकता जानने का प्रयत्न किया है; और

(ग) अब तक सुरक्षा परिषद को इस सम्बन्ध में भेजे गये विरोध-पत्रों का क्या परिणाम रहा ?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). Yes, Sir, such reports have appeared in the Pakistan Press.

(c) Sir, the attention of the Honourable Member is drawn to Government's answer to unstarred question No. 1033 on November 30, 1960 in the Lok Sabha on this subject.

श्री प्रकाशवीर शास्त्री : ३० नवम्बर, सन् १९६० को इस प्रश्न का उत्तर दिया गया था उसमें कहा गया था कि हिन्दुस्तान की ओर से सुरक्षा परिषद में कोई विरोध पत्र नहीं भेजा गया, और अभी, जैसा माननीय सभा सचिव जी ने बतलाया, उसका निर्माण कार्य जारी है। तो क्या कारण है कि इस बीच में सुरक्षा परिषद से विरोध नहीं प्रकट किया गया ?

श्री सादत अली खान : तीन बार हमने इस मामले में सिक्कोरिटी कोमिशन के सामने

प्रोटैस्ट किया है, और हमारी यह सारी प्रोटैस्ट्स यूनाइटेड नेशन्स के जो दूसरे मेम्बर्स वहां पर थे उनके पास सर्कुलेट हुई। इससे ज्यादा तो कोई ऐसी बात हमें मालूम नहीं है जिस पर गौर किया जाय।

(نہیں ہمارے اس معاملہ میں سکوریٹی کونسل نے سامنے پروٹیسٹ کیا ہے۔ اور ہماری یہ ساری پروٹیسٹس یونائٹڈ نیشن کے جو دوسرے ممبرس وہاں پر تھے ان کے پاس سرکولرٹ ہوئیں اس سے زیادہ کوئی ایسی بات ہمیں معلوم نہیں ہے جس پر غور کیا جائے۔)

श्री प्रकाशवीर शास्त्री : क्या मे जान सकता हूं कि भारत सरकार सुरक्षा परिषद् को विरोध पत्र भेजने भेजते इतनी थक गई है कि अब कोई और विरोध पत्र नहीं भेजना चाहती है ? और यदि नहीं भेजना चाहती है, तो क्यों ?

श्री सादत अली खान : थकने का सवाल नहीं है। सारा काम जो पाकिस्तान की तरफ से हो रहा है वह इस्लीगन है, और पोजीशन यह है कि वह टेरिटरी हमारी है। हम उसे हासिल करेंगे मुल्ह में, धमन में। वहां जो कुछ वह कर रहे हैं अब तक वह सब गलत कर रहे हैं।

(نہیلمے کا سوال نہیں ہے۔ سارا کام جو پاکستان کی طرف سے ہو رہا ہے وہ اللہ مکمل ہے۔ اور پوزیشن یہ ہے کہ وہ تھریٹری ہماری ہے۔ ہم اسے حاصل کریں گے صلح سے۔ امن سے۔ وہاں جو کچھ وہ کر رہے ہیں وہ سب غلط کر رہے ہیں۔)

श्री प्रकाशवीर शास्त्री : श्रीमाननीय सभा सचिव जी ने बतलाया कि हम उस को हासिल करेंगे, तो क्या जब बांध पूरा बन जायेगा उसके बाद हम उस को हासिल करने का प्रयत्न करेंगे ?

श्री साबित अली खां : जिम तरीकें से भी वह भक्त आयेगा, उसे किया जायेगा । हमारे प्रधान मन्त्री ने इस मसले पर कई बार हाउस में कहा है ।

(जस طریقہ سے بھی وہ وقت آئے گا -
اسے کہا جائے گا - ہمارے پردھان ملتوی
نے اس مسئلہ پر کئی بار हाوس में
کہा ہے -)

श्री प्र० मु० तारिक पालियामेंटरी सेक्रेटरी साहब ने फरमाया है कि वह हमारा इलाका है और हम उसे हासिल करेंगे । इस का तो मुझे पूरा भरोसा है । लेकिन मैं जानना चाहता हूँ कि इस बांध को बनाते बनाते जिन काश्मीरियों को बेघर किया गया है और जिन लोगों की जायदाद को मिस्मांर किया गया है, उनकी जायदाद का मुआवजा दिलाने के लिये हुकूमत क्या कदम उठा रही है, और क्या इस सिलसिले में हुकूमत पाकिस्तान से कोई प्रोटेस्ट किया गया ?

(پارلیمانٹری سیکریٹری صاحب نے فرمایا ہے کہ وہ ہمارا علاقہ ہے اور ہم اسے حاصل کریں گے - اس کا تو مجھے پورا بھروسہ ہے - لیکن میں چاہتا ہوں کہ اس ہاندہ کو بناتے بناتے جن کا شعہریوں کو بے گھر کیا گیا ہے اور جن لوگوں کی جائداد کو مسماںر کیا گیا ہے - ان کی جائداد کا معاوضہ دلانے کے لئے حکومت کیا قدم

اٹھا رہی ہے - اور کہا اس سلسلہ میں حکومت پاکستان سے کوئی پروٹیسٹ کیا گیا ہے -)

श्री साबित अली खां : जॉ लोग भी वहां घर से बेघर हो रहे हैं वह पाकिस्तान का दर्द सिर है ।

(جو لوگ بھی وہاں گھر سے بے گھر ہو رہے ہیں وہ پاکستان کا درد سر ہے۔)

श्री प्र० मु० तारिक : سوال यह है कि वह हमारे बाशिन्दे हैं, वह हमारी सरजमीन है और वहां के लोगों की गोनियों में मारा गया है, उन को पकड़ा गया है और उन की चीज पर कब्जा किया गया है, उन की जायदादों जल्द की गई हैं ।

(سوال یہ ہے کہ وہ ہمارے باشندے
ہوں - وہ ہماری سر زمین ہے اور
وہاں کے لوگوں کو گولہوں سے مارا گیا
ہے - ان کو پکڑا گیا ہے اور ان کی چیز
پر قبضہ کیا گیا ہے - ان کی جائدادیں
بھٹا کی گئی ہیں۔)

श्री साबित अली खां : प्र ज यह इलाका हमारे कब्जे में नहीं है । जैसा मेरे लायक दोस्त जानते हैं जो लोग वहां पर हैं और उन पर जो मुसीबतें गुजर रही हैं उनसे हम वाकिफ हैं ।

(آج یہ علاقہ ہمارے قبضہ میں
نہیں ہے - جیسا میرے لائق دوست
جانتے ہوں جو لوگ وہاں پر ہیں اور
ان پر جو مصیبتیں گزر رہی ہیں ان
سے ہم واقف ہوں -)

श्री प्रकाशवीर शास्त्री : क्या मैं जान सकता हूँ कि यह बांध जहाँ पर बन रहा है, उसके लिये कितनी घरती एक्वायर की गई है, कितने गांवों को उजाड़ा गया है और कितने लोगों पर इसका प्रभाव पड़ा है ?

श्री साबित अली खाँ : मुझे इसका पता नहीं है। अक्सर खबरें अखबारों से हमको यहां मिलती हैं।

(مجھے اس کا پتہ نہیں ہے - اکثر خبریں اخباروں سے ہم کو یہاں ملتی ہیں۔)

श्री प्र० मु० तारिक : इस इलाके में अकवाम मुतहिदा के आबजवर हैं और उनका यह फर्ज है कि वे देखें कि लोगों पर जुल्म न हों, लोगों की जायदादें न छीनी जायें, हिन्दुस्तान के बाशिन्दों पर गोलियां न चलाई जायें। अगर ये सब वाक्यात दुरुस्त हैं और लोगों पर गोलियां चलाई गई हैं, लोगों की जायदादें छीनी गई हैं तो हकूमते हिन्दुस्तान ने अकवाम मुतहिदा के साथ इस मामले पर क्या कार्यवाई की है और अकवाम मुतहिदा ने क्या जवाब दिया है ?

(اس علاقے میں اقوام متحدہ کے آبزور ہوں اور ان کا یہ فرض ہے کہ وہ دیکھوں کہ لوگوں پر ظلم نہ ہو - لوگوں کی جائیدادیں نہ چھیلی جائیں - ہندوستان کے باشندوں پر گولیاں نہ چلائی جائیں - اگر یہ سب واقعات درست ہیں اور لوگوں پر گولیاں چلائی گئی ہیں - لوگوں کی جائیدادیں چھیلی گئی ہیں تو حکومت ہندوستان نے اقوام متحدہ کے ساتھ اس مسئلہ پر کیا کاروائی کی ہے اور اقوام متحدہ نے کیا جواب دیا ہے۔)

श्री साबित अली खाँ : मैंने पूछ लिया है कि तीन बार हमने अकवाम मुतहिदा का ध्यान इस तरफ दिलाया है। वहां जो आबजवर हैं वे सीख फायर लाइन की हिफाजत के लिए हैं। मैं नहीं समझता हूँ कि वहां के अन्दरूनी मामलात में वे दखल दे सकते हैं।

(میں نے عرض کیا ہے کہ تین بار ہم نے اقوام متحدہ کا دھیان اس طرف دلیا ہے - وہاں جو آبزور ہوں وہ سیکرٹری کی حفاظت کے لیے ہیں - میں نہیں سمجھتا ہوں کہ وہاں کے اندرونی معاملات میں وہ دخل دے سکتے ہیں۔)

Retrenched Employees of the Rehabilitation Ministry

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*1106. { Shri Aurobindo Ghosal;
Shri D. C. Sharma:

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether any three-man committee of Secretaries has been set up for finding jobs for the retrenched employees of the Rehabilitation Ministry; and

(b) if so, how many employees have been provided with jobs so far since the formation of the Committee?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) No such Committee has been appointed, but a decision was taken that every effort should be made for the re-absorption of the retrenched employees of the Ministry of Rehabilitation. Measures to implement this decision were to be worked out by Rehabili-

tation Secretary in consultation with the Cabinet Secretary and the Home Secretary.

(b) The figure is not available but our information is that the bulk of the retrenched employees have been re-employed through the Special Cell or through their own efforts.

Shri Aurobindo Ghosal: May I know whether the Ministry keeps any statistics about the re-employment of these retrenched employees of the Rehabilitation Ministry?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): Sir, I might supplement the information given by my colleague. The main retrenchment has taken place in the office of the Chief Settlement Commissioner. In all 3532 employees were served with notices up to end of June 1961. Of these, only 2286 persons were actually retrenched. The rest of them were either absorbed before the expiry of the notice or their notices were withdrawn. 1,723 employees out of 2,286 were absorbed through the office of the Directorate-General of Employment and training.

Shri D. C. Sharma: May I know whether the Government keeps any track of the persons who have been retrenched and makes a note of the fact whether they have been re-employed?

Shri Mehr Chand Khanna: In this matter, Sir, we have been to the Ministry of Labour, we have also been to the UPSC. Then, the Ministry of Home Affairs too have recently issued a communication to all the Ministries of the Government of India and private undertakings. I have told the House, not now but even before, that a very large number of persons who have been retrenched have already been absorbed or have been already re-employed.

श्री न० ला० द्विवेदी : सभी माननीय मंत्री जी ने रिट्रेंच किए गए मुलाजिमों और व्यक्तियों की संख्या बताई है। मैं जानना

चाहता हूँ कि उनमें से कितने अभी तक बेकार हैं और माननीय मंत्री महोदय को कितने दिनों से इस बात की सूचना नहीं है कि कितने लोग इम्प्लाय हुए हैं या कितने नहीं हुए हैं ?

श्री मेहर चन्द खन्ना : बात यह है कि जो भी इस मिनिस्ट्री में आया वह जानता था कि यह एक आर्जी मिनिस्ट्री है और इसको कभी न कभी खत्म होना है। माननीय सदस्यों ने बड़ी कोशिश की कि जितनी जल्दी भी हो, मेरी मिनिस्ट्री खत्म हो ; लोग इसका तो जानते तो थे ही। अब मेरी कोशिश यह है कि मैं अपने जाने से पहले उन में से जितने बेचारों को बसा सकता हूँ, बसाने की कोशिश करूँ और यह मैं कर रहा हूँ। इसमें श्री अधिक, मैं कुछ नहीं कर सकता हूँ।

Shri M. L. Dwivedi: Sir,...

Mr. Speaker: Order, order.

Shri M. L. Dwivedi: He has not replied to my question. I want to know how many persons are still unemployed out of the total retrenched persons.

Shri Mehr Chand Khanna: I have given those figures just now. Actually 2286 persons were retrenched from the office of the Chief Settlement Commissioner. Of them, according to my information, 1,723 persons have already been absorbed through the Directorate-General of Employment and Training. That is a very good percentage; that will be about 70 to 75 per cent.

Shri D. C. Sharma: Sir, the Speaker of the Lok Sabha was kind enough to appoint a committee of some Members to keep an eye upon the employment of these retrenched persons of the Rehabilitation Ministry. May I know if the hon. Minister has been in touch with that committee and has utilised their services in any way.

Shri Mehr Chand Khanna: Sir, I have heard of this committee for the first time. I plead ignorance, I may be guilty of the charge, but I do not

remember to have seen any communication from the Speaker, Lok Sabha, appointing a special committee to look into the question of retrenched employees of my Ministry. If he can do that I will be grateful, because I want help, I want everybody's help.

Mr Speaker: The Ministry is not aware of it, the Speaker is not aware of it. Then, who is aware of this committee I do not know.

Shri S. M. Banerjee: When these retrenched employees approached you and when constant questions were coming up in this House, you did appoint a committee and you made Shri Ajit Singh Sarhadi the Convenor. We also met.

Mr. Speaker: I do not know if I appointed any such committee formally.

Shri S. M. Banerjee: You appointed a committee formally. There was a circular issued and we took a decision also.

Mr Speaker: Did he get a circular from this Secretariat?

Shri S. M. Banerjee: Yes, Sir; one of the Secretaries will bear me out.

Mr. Speaker: I do not remember now. I do not remember to have signed any directive that a committee shall be appointed. Possibly, here I might have suggested something like that. I do not remember having appointed such a committee at all. With respect to this, when hon. Members were going on asking as to how many have been retrenched and how many have been provided alternative employment and the hon. Minister was replying that so many have been retrenched and so many have been re-employed, possibly I might have thought that it would be desirable that some more suggestions may be given by the non-official side also. I would like to see the order that the hon. Member has got appointing all these hon. Members as members of the Committee. I am myself not aware of it.

Shri S. M. Banerjee: There was no order. It was a circular signed by you.

Mr. Speaker: I would like to see that circular. I shall make enquiries. I do not remember to have issued any such thing. I do not arrogate to myself the powers to appoint such a committee unless there is a motion here or some such thing.

Shri S. M. Banerjee: Outside the House you appointed this committee; it was not done here.

Mr. Speaker: Outside the House? In the Constitution Club I did it?

Shri S. M. Banerjee: In Room No. 63 or Room No. 65 we met. Shri D. C. Sharma will bear me out.

Mr. Speaker: I do not remember that as Speaker I did any such thing. Let us proceed now.

Shrimati Renu Chakravarty: Sir irrespective of the fact whether you appointed a committee or not, retrenchment is going on. It is not a question of retrenchment only in the western zone where the department has been wound up. In the eastern zone also it is going on. I would like to know whether it has been brought to the notice of this Ministry that recently quite a number of notices have been served on the employees without making any attempt to find alternative jobs for them with the result that they have been retrenched and there has been no continuity of employment for them?

The Minister of Finance (Shri Morarji Desai): Sir, may I just explain this matter? If it is accepted that in all cases of temporary establishment it becomes the duty of Government to employ all of them immediately their temporary work ceases it will become an impossible thing for Government to do. In that case Government would not be able to start any temporary establishment. But Government does realise the difficulties of these people and tries to see that they are absorbed in the various vacancies that occur provided they are qualified for the posts in these temporary establishments.

again, another difficulty that arises is that some of them are not even qualified for other posts. Therefore, they must also try and find out jobs elsewhere and get themselves employed as many others do. But if it is accepted that it is the responsibility of the Government, it will not be possible for Government to accept that responsibility.

Shri Mehr Chand Khanna: The hon. lady Member while asking the question referred to the employees who were retrenched in West Bengal. As a Rehabilitation Minister, I feel for both although there is a slight distinction. They are the employees of the State Government and not of the Government of India. As far as the State Government is concerned, in fact I gave the figures to the members of my Consultative Committee only two or three days ago, that even they have absorbed a very large percentage of the people who have been retrenched. Not even that, they have appointed a special officer, I believe, of the rank of Collector who is looking into each case, so that all those people who have to go on account of the gradual winding up of the Ministry and closure of the camps are not thrown on the streets. The Government of West Bengal is alive to this very vital question.

Shri S. M. Banerjee: I want to know whether the employees who could not be offered, or were not offered, alternative employment and who are going to be affected will be paid any retrenchment compensation and, if so, the amount of compensation?

Shri Mehr Chand Khanna: The question is not fully appreciated. Here is a man who was taken in a temporary job in a temporary Ministry. As long as the work lasts, it is our responsibility and we will look after him. The moment the work is finished, he has to go. But we are trying to see if we can find him a job in which he can be fitted. Certainly, everything possible is being done. There is no question of any compensation.

Shri S. C. Samanta: May I know whether these retrenched employees will go direct for certain services or they will have to go through the employment exchanges?

Shri Mehr Chand Khanna: Through the employment exchanges and through the cell which has been set up in the Ministry of Labour. I am saying this off-hand but I think this is more or less the position generally.

Assault of Indian Students in Minnesota

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*1108. { **Shri D. C. Sharma:**
Shri Vajpayee:
Maharajkumar Vijaya
Ananda:
Shri Mohan Swarup:
Shri P. G. Deb:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that two exchange students from India were assaulted on the 19th June, 1961 by two youths at Minneapolis (Minnesota);

(b) if so, the details of the incident; and

(c) the steps taken for security of the Indian students in Minneapolis?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes, Sir.

(b) The two Indian students, Shri Kesava Govindan Nair and Shri Aliuri Viswaswara Rao, who are studying at the University of Minnesota in the U.S.A. were strolling on the evening of Monday, the 19th June, 1961, along the River Road not far from the dormitory where they lived, when they were set upon by two young hoodlums and subjected to a beating. There was absolutely no provocation and the students conducted themselves in a most creditable way. They were treated at the University Hospital and released. The two young men who assaulted the Indian students were shortly arrested by the Police and taken into custody.

(c) It is not possible to take any special steps for the security of Indian students in Minneapolis because the University authorities take care of Indian students just as they take care of others.

Shri D. C. Sharma: May I know if some other incidents have also come to the notice of the Government of India from the United States where so many students are studying?

Shri Sadath Ali Khan: I require notice.

Shri D. C. Sharma: May I know if these students were roughly handled by the hoodlums because the some apprehension about their colour or for some other reason?

Shri Sadath Ali Khan: It was a question of juvenile delinquency. They were roughly handled, specially Shri Nair. We are afraid that he lost his one front tooth in the struggle.

Shrimati Renu Chakravartty: He has not answered it, which is my question also.

Mr. Speaker: He said that it was juvenile delinquency and no question of colour arises.

Shri Sadath Ali Khan: Besides, I may say that Mr. Malcom M Willey, Vice-President, the Academic Administration, University of Minnesota wrote to the Embassy of India in Washington on the 21st June, 1961. He informed them that the university authorities have apologised to each of the students and done everything possible to make amends for the regrettable incident which was the result of juvenile delinquency.

Shrimati Renu Chakravartty: Now that the two hoodlums have been arrested and there is going to be a case, may I know whether they will ensure our lawyers being there so that the point whether it was racialism or juvenile delinquency can be fought out?

Shri Sadath Ali Khan: I do not know whether there will be a case.

They have been apprehended. I do not know what they are going to do.

Shrimati Renu Chakravartty: If they are apprehended, then there will be a case. They cannot arrest people and put them in jail without some sort of trial.

Mr. Speaker: The hon. Member wants to know whether a case has been recorded or registered under the advice of the university and those people are going to be prosecuted. In that case, our students will only be witnesses. In case that Government is not doing anything then, according to the hon. Member, the question arises whether colour or racialism had anything to do with it.

Shrimati Renu Chakravartty: We know that in these parts there is a lot of racialism. It may be possible that it is juvenile delinquency also. Twenty years ago, I have myself witnessed it. I want to know whether Government are going to have observers to find out whether this is juvenile delinquency only or this is racialism.

Shri Sadath Ali Khan: We have accepted the explanation of the university authorities.

Dr. Vijaya Ananda: May I know whether the American President has been informed of our feeling in this matter?

Shri Sadath Ali Khan: No, Sir.

Shrimati Ila Palchoudhuri: May I know if we have asked for some sort of enquiry to be made as to the exact nature of what happened and also why these students have not been punished?

Mr. Speaker: Does the Parliamentary Secretary have any other information?

Shri Sadath Ali Khan: As I said, as far as we are concerned, it is closed. The apology has come from the highest authorities of the university. The hoodlums have been apprehended. So, it is a closed subject.

केन्द्रीय आवास निगम

*११०६-
 श्री म० ला० द्विवेदी :
 श्री मे० क० कुमारन :
 श्री प्र० गं० देव :
 डा० राम सुभग सिंह :
 महाराजकुमार विजय आनन्द :

क्या निर्माण आवास और संभरण मन्त्रो
 यह बनाने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार विभिन्न
 राज्यों में उनकी आवास योजनाओं के महाय-
 तार्थ केन्द्रीय आवास निगम स्थापित करने के
 प्रस्ताव पर विचार कर रही है; और

(ख) यदि हाँ, तो यह प्रस्ताव कब तक
 प्रमल में लाया जायेगा ?

**The Deputy Minister of Works,
 Housing and Supply (Shri Anil K.
 Chanda):** (a) Yes.

(b) It is difficult, at this stage, to
 indicate any precise time limit, as the
 details will have to be worked out on
 the lines proposed in the Chapter on
 Housing in the Third Five Year Plan.

श्री म० ला० द्विवेदी : मैं यह जानना
 चाहता हूँ कि इस हाउसिंग कारपोरेशन
 की व्यवस्था के सम्बन्ध में क्या सरकार ने कोई
 मॉडेल रखेखा बनाई है और यदि बनाई है
 तो यह क्या है ? दूसरे इस हाउसिंग कारपो-
 रेशन के पास माधन क्या होंगे ?

Shri Anil K. Chanda: It is pro-
 posed to have a Housing Finance
 Corporation so that the finances which
 are available from private institutions
 like banks etc. could be channelised
 through this organisation.

श्री म० ला० द्विवेदी : मैं जानना चाहता
 हूँ कि इस हाउसिंग कारपोरेशन के बनाने की
 आवश्यकता क्यों पड़ी और क्या धमी तक जो
 काम चल रहा था वह ठीक नहीं था और यदि
 ठीक नहीं था तो वह कौन से कारण हैं जिनकी
 कि वजह से इस हाउसिंग कारपोरेशन की

आवश्यकता हुई और इससे क्या क्या लाभ
 होंगे ?

Shri Anil K. Chanda: I may res-
 pectfully suggest to the hon. Member
 that he might read the chapter on
 "Housing" in the Third Five Year
 Plan where they have elaborately
 discussed this problem, particularly
 the need for having a housing finance
 corporation.

Shri Kasliwal: May I know whe-
 ther it is a fact that the LIC have
 decided to lend about Rs. 50 crores
 to the Central Housing Corporation
 and, if so, the rate of interest on that
 loan?

Shri Anil K. Chanda: The LIC
 propose to allot about Rs. 60 crores
 during the Third Plan for housing.

Shri Ranga: At what rate of
 interest would that money be loaned
 to the housing co-operatives and
 other agencies which would be
 authorised to construct these houses
 in the various States? Would they
 be adding their overhead charges also
 as the money goes from the Central
 Housing Corporation to the State
 Housing Corporation and, finally, to
 the local housing co-operative
 societies?

Shri Anil K. Chanda: It is a little
 too premature to say that at this
 stage. It will be decided when the
 money is loaned out. But, generally
 speaking, up till now, the moneys
 which have been made available for
 housing by the LIC, the States con-
 cerned have charged about 4 per cent
 more for their expenses.

Shri Thimmaiah: There are hous-
 ing boards in some States. May I
 know the difference between these
 housing boards and the housing
 corporation?

Shri Anil K. Chanda: Some of the
 States, like Mysore, Gujarat and
 Maharashtra, and I think Madhya
 Pradesh also, have housing boards.
 They are really meant for construc-
 tion purposes. What is intended is
 that they should have financial
 powers also.

Shrimati Renu Chakravarty: I would like to know whether the Central Housing Corporation will also be given the job of constructing industrial houses in view of the fact that now the rules for industrial housing have again been changed and the State Governments are being asked to construct industrial houses...

Shri Anil K. Chanda: The details have not yet been worked out. These details will have to be worked out in consultation with the Economic Affairs Committee of the Finance Ministry, the Reserve Bank, the LIC, Law Ministry etc.

Shri Goray: May I know whether the Maharashtra Government have approached the Centre in order to build houses in Poona and other places which were devastated by the floods?

Shri Anil K. Chanda: The Housing Minister of the Maharashtra Government, Shri Kazi, met me here in this connection, and all possible assistance within the various schemes which are operated now have been made available to the Maharashtra Government.

Shri Tyagi: May I know whether the housing facility will be available only to the urban areas or even the villagers living in rural areas can avail of this?

Shri Anil K. Chanda: No, Sir; it is not merely for urban areas. It is also for rural areas.

Shri Ranga: May I know the reason why the State Governments should be allowed to add one percent, or whatever it is that they would like, to the rate of interest at which this money is advanced by the LIC? When the housing co-operative society, which is on the spot, is a registered body and is being subsidised by the State Government, it can be expected to receive the money directly from the LIC, without the mediation of the State Government with its consequent commission?

Shri Anil K. Chanda: The reason is very simple. Finally it is the State

Government which is responsible for the repayment of the loan to the LIC. A considerable amount of accounts has to be maintained by the State Governments. They generally charge 1 to $\frac{1}{2}$ per cent., but it is not obligatory. If the hon. Member can persuade his State Government to give it without the charge, it would be possible.

श्री म० ला० द्विवेदी : मैं यह जानना चाहता हूँ कि भारत सरकार ने जो विभिन्न राज्यों को इस सम्बन्ध में पत्र लिखा है, उसके अनुसार राज्यों में जो भवन निर्माण संस्थाएँ हैं, या कारपोरेशन या बोर्ड्स हैं उनको सहायता राज्य सरकार द्वारा दी जाएगी या सीधे सेप्टल हाउसिंग कारपोरेशन उनको सहायता देगा ?

Shri Anil K. Chanda: I have already said that five or six of the States already have housing boards, but they are really construction agencies. What is proposed to be done now is to invest them with certain financial powers.

Shri M. L. Dwivedi: My question was whether the assistance is to be given through the States or to the corporations direct.

Shri Anil K. Chanda: These details will be worked out later on, namely, what will be the relation between the housing boards and the Ministry of Works, Housing and Supply and States.

Mr. Speaker: Next question.

Shri M. L. Dwivedi: A letter has been addressed by the Ministry of Works, Housing and Supply.

Mr. Speaker: How many questions should I allow?

Shri M. L. Dwivedi: The question has not been answered properly. Therefore I must seek a clarification.

Mr. Speaker: That will have to be worked out. That is what he has said. Next question.

Shri M. L. Dwivedi: They have already addressed a letter to the var-

ious State Governments. What is the content of that letter and what is meant by them in this direction?

Mr. Speaker: The hon. Minister need not answer it. I have again and again said that I will proceed with the next question. There is no meaning in imposing the question like that. I have already allowed him six questions. Next question.

Community Centres in Government Servants' Colonies

*1112. **Shri Bal Raj Madhok:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the names of the colonies for Government servants in which Community Centres have been constructed;

(b) who manages these Community Centres;

(c) whether it is a fact that the Community Centre at Sarojini Nagar has been put in the charge of Bharat Sewak Samaj; and

(d) whether Government will stop this practice and have the management of the Sarojini Nagar Community Centre restored to the accredited representatives of the employees in that colony?

The Deputy Minister of Works Housing and Supply (Shri Anil K. Chanda): (a) to (d). Samaj Sadans (community centres) in Sarojini Nagar and Kidwai Nagar have been constructed by this Ministry and allotted to Bharat Sevak Samaj for social and cultural activities for the benefit of the local residents. The Sadans are also available for use by other organisations. The question whether or not these Samaj Sadans should be allotted to residents' associations is under the consideration of the Government.

In regard to Samaj Sadans constructed by the Central Public Works Department from the funds provided by the Ministry of Home Affairs, attention is invited to the reply given on the 9th August, 1961 to Unstarred Question No. 438.

Shri Bal Raj Madhok: Is it a fact that the residents of these colonies have represented that the Bharat Sewak Samaj is not making proper use of the Sadans and that, therefore, they should be handed over to the associations?

Shri Anil K. Chanda: Yes, sir; some complaints have been received from some organisations.

Shri Bal Raj Madhok: What action has been taken on them?

Shri Anil K. Chanda: I have said that the matter is being considered.

Shri S. M. Banerjee: I want to know whether there is some committee in those Vinay Nagar etc. colonies and whether those committees, which have been formed, will run these community centres in future.

Mr. Speaker: That is the very same thing that he had asked.

Shri S. M. Banerjee: No, Sir. His question was that some residents had complained. But there are elected committees there.

Shri Anil K. Chanda: There are numerous committees in every colony. That is our trouble. But there is a proposal that the Home Ministry in their welfare section might take over the running of these Sadans.

Shri Radha Raman: May I know whether it is correct that these colonies have independent committees of the residents sponsored by the Bharat Sewak Samaj and these centres are run and managed by them?

Shri Anil K. Chanda: The two centres, one in Kidwai Nagar and the other in Sarojini Nagar, are really run by the Bharat Sewak Samaj directly. But the facilities of these halls are available to other organisations also against a small fee. It used to be Rs. 10, but on getting certain representations we have lowered the fee to Rs. 8.

Distribution of National Income

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*1115 { Shri P. C. Borooah:
Shri S. A. Dange:
Shri Nagi Reddy:

Will the Minister of Planning be pleased to state:

(a) whether a Committee consisting of Dr. V. K. R. V. Rao, Dr. Mahalanobis and Dr. Lokanathan was formed recently to study and report on the Distribution of National Income;

(b) if so, when the Committee was formed;

(c) the progress made so far in the matter; and

(d) the time limit, if any, fixed for the Committee to submit its report?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) to (d). In October, 1960, the Planning Commission constituted a Committee on Distribution of Income and Wealth. The Committee consists of nine members. The Committee has initiated a series of studies relating to the trends and composition of national income, changes in levels of living, changes in wages and prices and their effects on income and wealth, concentration in private industry, statistical data relating to income-tax and land holdings, and trends in earnings of wage earners and salaried employees. On the conclusion of these studies, the Committee hopes to submit a report. For obvious reasons, no time limit has been proposed for the submission of the report.

Shri Nagi Reddy: May I know whether it is a fact that after the formation of the Committee the Cabinet Secretary who was appointed to this Committee was transferred as Governor of some State and one of the members of the Committee had been out of the country itself; hence the work has not been progressing properly?

Shri Tyagi: He is always out.

Shri S. N. Mishra: Temporary absence of members cannot be ruled out.

Moreover, we have got experts on this Committee from outside. We cannot ask them to be here all the time and not to look to their other duties.

Shri Nagi Reddy: May I know whether it is a fact that three institutions, namely, the Indian Statistical Institute, the National Council of Applied Economic Research and the Institute of Economic Growth, have been trying to get the work done through them on which there has not been unanimity in the Committee; hence the progress of the work is suffering?

Shri S. N. Mishra: This difficulty seems to be an imaginary one. The Committee, to my knowledge, has not been confronted with this problem.

Shri Surendranath Dwivedy: Who is the Chairman of this Committee? Is it not a fact that on account of the absence of the Chairman, the Committee could not carry on its work?

Shri S. N. Mishra: I have already referred to the problem of temporary absence of members including the Chairman.

Mr. Speaker: Who is the Chairman?

Shri S. N. Mishra: The Chairman is Professor Mahalanobis.

Shri Tyagi: Is it a fact that a detailed procedure for assessing the national income with full details has not yet been provided to the Government and that it is the monopoly of a certain institute?

Shri S. N. Mishra: The computation of national income is a separate problem. I cannot say what the hon. Member has particularly in mind. If he has got any particular defect in his mind as regards the computation of national income, it may be brought to our notice.

Shri Tyagi: A number of times a demand was made by hon. Members on the floor of this House to let them know as to what is the procedure for assessing the national income. That question has never been answered. No

literature has been supplied. I enquired from the Ministry and found that they had no such literature in their possession as well.

Mr. Speaker: I think the Government must provide a treatise and place it on the Table of the House. Is that the idea?

Shri Tyagi: Thank you.

Mr. Speaker: No, I am not making a suggestion. I am only asking the hon. Member whether it is for the first time in the whole world that we are having a computation of the national income. Was there not an earlier report? Hon. Member would kindly read the earlier report and find out. I cannot allow such questions here. Why not go and have an examination paper set here?

Shri Tyagi: There are only statistics and calculations finally arrived at. The procedure is not given in any literature.

Mr. Speaker: The hon. Member may once again read the National Income Report by Professor V. K. R. V. Rao and others who assessed the national income at Rs. 9,000 or Rs. 10,000 crores last time. This is the second time that another committee has been appointed for this purpose. They have given the basis on which the national income is assessed. Hon. Members may have their differences and may suggest some more items to be taken into account. Anyhow, I am not going to allow questions as to what are the bases on which national income will be calculated. Experts have been appointed for this purpose. Hon. Member may appear before them and give his own advice to them. On a huge treatise on economics or politics can questions be asked on the floor of this House?

Dr. Ram Subhag Singh: How can this be an irrelevant question?

Mr. Speaker: This is not irrelevant.

Dr. Ram Subhag Singh: That is the natural corollary.

Mr. Speaker: Then he can as well ask, "What is sovereignty?", or why not he ask, "What is economics?" or "What is finance?". It is not as if it is irrelevant. I do not say that it is irrelevant. On the other hand, that is not a question which could be answered here, as to what is the basis of calculation of national income. A committee is appointed.

Shri Tyagi: Procedure; not the basis. I am enquiring about the procedure of assessment. That detail is not provided.

Mr. Speaker: I won't allow it. There is a report. He will wait for the report.

Shrimati Renu Chakravartty: The question is, after the national income statistics come in, whether there is any procedure to divide the various income groups and find out what percentage of national income a particular group is actually deriving. This was the question that was put earlier. The Prime Minister said that there is no method of computing that. That is the thing which we are all anxious to know.

Mr. Speaker: All that I am concerned is, a Minister may be in charge of it. He does not himself claim to be an expert to find out what the national income is. He has, therefore, appointed an expert committee. It is for the committee to say. If hon. Members want, all the suggestions may be sent to the Committee. Merely because one of the Ministers is in charge of Chemistry, what is the meaning of asking every detail of how sulphuric acid can be prepared? These are all difficulties.

Dr. Ram Subhag Singh: A totally un-understandable inference you are making.

Mr. Speaker: No, no.

Shri Ranga: Where is the need for this discussion just now?

Mr. Speaker: I would only say, every hon. Minister is not an expert. Any hon. Member on this side can become a Minister at any time.

Shri Ranga: There is no need for this discussion.

Mr. Speaker: Therefore, let us wait for the report of the committee.

Shri Tyagi: I will put another question. Is it a fact that the report of this committee is being delayed on account of a triangular pull of the three institutions attached to the three members? One is the Institute of Economic Growth; another is the Institute of applied economics and the other is Statistics. All the three members have separately one institute to their credit and they are not coming to a conclusion as to which of the institutions will take charge of the calculation. Is that not a dispute in the committee?

Shri S. N. Mishra: I have already replied to a question of this kind. I can only say that the fact that certain Institutes are associated with certain members is an advantage. It is not a disadvantage.

The Minister of Finance (Shri Morarji Desai): May I submit by saying that this is a very complicated and intricate question. It is easy to appoint a committee. But, it is difficult to do its work. They are taking time over it. If the work is done haphazard, it will give us wrong lines and wrong details and I do not know where we would go.

Shri Tyagi: There is no triangular pull?

Shri Morarji Desai: There is no triangular pull about it.

Shri Tyagi: May I take it that all the institutions are co-operating?

Shri Morarji Desai: As far as I know, they are.

Shri Ranga: Much stress was laid on the temporary absence of the Chairman. May I know when this committee was appointed and since it was appointed, how many times the Chairman has been outside India and for how long out of the period

which has elapsed since this committee was appointed?

Mr. Speaker: I must allow a Resolution to be moved nominating Members to a committee.

Shri Ranga: That is a different matter.

Mr. Speaker: There is no doubt that Shri Mahalonobis,—hon. Members may have their own differences—

Shri Ranga: I withdraw my question. There ends the matter.

Mr. Speaker: I am very happy. Then there is no trouble at all.

Shri Surendranath Dwivedy: There was an insistent demand in this House about the distribution of wealth. A committee was appointed. The committee has, for the last so many months, not done any work because of the absence of the Chairman of the Committee from this country. That is the question....

Shri C. D. Pande: On a point of order, Sir. *(Interruption).*

Mr. Speaker: What is the point of order?

Shri C. D. Pande: Shri Ranga put a question specifically to the Minister. You were on the point of intervening to supplement that question. In the meanwhile, he withdrew it. I want to know whether it is in his power to withdraw a question once put to the House.

Shri Ranga: I asked the permission of the House to withdraw my question.

Mr. Speaker: I will allow hon. Members to put questions and also allow them to withdraw questions.

Hon. Members are anxious that this report must be available to them and details of the manner in which the basis will be worked out so that they may have an opportunity. Will the hon. Minister advise this committee to say what they propose to do so that they may invite suggestions from

various persons, and also ask this committee to expedite its work? That is what they want.

Shri Surendranath Dwivedy: The Committee is not working.

Shri S. N. Mishra: This suggestion could be placed before the committee. But, what I want to submit is that the impression which has gone round that this committee has not done quite substantial work is not quite correct. I have already taken care to indicate in the main reply the number of studies that this committee has initiated.

Shri Nagi Reddy: How many times did the committee meet in the last one year?

Mr. Speaker: They have appointed study committees.

Shri Nagi Reddy: The point is, they have not met. Who is doing the preliminary work? No meeting has taken place.

Mr. Speaker: Order, order. Hon. Members want to drown the hon. Minister's voice. The hon. Minister has said, four times they met. They appointed committees for study. They will supervise them. When once a committee is appointed, are we to go into every detail of it? Hon. Members may say that these are not competent to do the work. I have no objection to that. They are competent men according to the Government. They are taking their own time. They are studying. There is no meaning in these members staying while the study committees are going on. Next question.

River Feni in Tripura

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*1116. { **Shri Bangshi Thakur:**
Shri Dasaratha Deb:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that the P.W.D. staff of Tripura Administration when engaged in constructing embankment to save Sabroom town from the

erosion caused by the floods in river Feni, had to abandon the work because of strong protest from Pakistan Government; and

(b) if so, what steps are proposed to be taken by the Government of India in this respect?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). Yes, Sir. The Pakistan police obstructed our workers on the plea that the whole of the Feni river belongs to Pakistan. It will be recalled that there is a dispute between the two countries about the Feni river.

Our latest information is that the Tripura Administration have succeeded in convincing the East Pakistan authorities about the absolute necessity of constructing a bamboo rampart wall on the Indian bank to save Sabroom town and the work was supposed to start from 20th August, 1961.

Shri Bangshi Thakur: In reply to my previous question it was stated that according to the Radcliffe Award, midstream of the river Feni is the line where the two countries, Pakistan and India, meet. If so, under what authority Pakistan has been disallowing the Tripura Government to take adequate measures to protect the Sabroom sub-divisional town from the erosion of the river Feni?

Shri Sadath Ali Khan: I will tell the House the position as it is today. The hon. Member is right in saying that the midstream of this river should be the boundary whereas they claim the entire river. The position at present is that the necessary material in support of Indian claim was furnished by the Tripura Administration to the East Pakistan Government in April, 1960. The East Pakistan Government replied with a note claiming the entire river. The documents regarding Pakistan's claim were then asked for, but furnished only in March, 1961. The Tripura Administration has since completed examination of those documents. They, however, wanted a representative of the Ministry of Exter-

nal Affairs to discuss the case with them before replying to East Pakistan and fixing a meeting with Pakistan. As I said, examination of the disputed area was not possible during the monsoon season. The concerned Deputy Secretary in the External Affairs Ministry will be meeting the Chief Secretary of Tripura next month, September, 1961, after which the future line of action to be taken with Pakistan will be fixed.

Shri Bangshi Thakur: When can we expect that the root of all causes of such disputes for which Tripura has been suffering from harassment by Pakistan Government will be extirpated?

Shri Sadath Ali Khan: The Ministry of External Affairs representative will discuss this matter with the Tripura Administration in September. We hope that there will be an early meeting between Pakistan's representative and ours.

Shrimati Renu Chakravartty: In view of the fact that in quite a number of places in East Bengal and West Bengal border rivers are boundaries and all along the line midstream is the boundary according to the Radcliffe award, are we to take it now that our Tripura Administration has agreed to go for a discussion with the East Pakistan Government on this point, that *prima facie* there is a case for them to take over the entire river?

Shri Sadath Ali Khan: No. We never accepted that claim that the entire river is theirs. We have always been adhering to our stand, and we have been discussing this matter and we have been making our position clear.

Shrimati Renu Chakravartty: What is the point in having an on-the-spot study? What on-the-spot study can you do about the midstream?

Shri Sadath Ali Khan: The river changes its course as the hon. Member knows. When the monsoon rains come, this river is swollen and it changes its course. Therefore, an

on-the-spot examination is necessary to define the mid-stream of this river.

Shri Tyagi: Is there any representative of the Central Government also there?

Shri Sadath Ali Khan: Yes, of the Ministry of External Affairs.

Shri C. K. Bhattacharya: May I know whether it is not a fact that before the merger of the Tripura State, the entire River Feni belonged to that State, and after the merger of the Tripura State in India, the entire River Feni should, therefore, have come to India?

Shri Bangshi Thakur: That is a fact.

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): It is a fact that before the merger, the entire River Feni belonged to the Tripura Administration, but after the merger, Pakistan claimed it and prevented anybody from the Tripura Administration making use of the river.

Unfortunately, this question refers not to riverine boundary of the River Feni but about the protection needed for the Sabroom town which is likely to be washed away by the river. So, a meeting of the External Affairs Ministry, the Tripura Administration and the Pakistan Administration is proposed to be held in order to discuss the protection that is to be given to the Sabroom town which is exposed to erosion by the change in the course of the river and also in consequence of the spurs that have been erected by the Pakistan Administration on the other side of the river.

As far as the mid-stream is concerned, we have always held that whenever there is a riverine boundary, the mid-stream is the boundary and not the entire river for the one side or the other.

Shri Bangshi Thakur: It seems that our Government have succumbed to the Pakistani claim.

Shrimati Lakshmi Menon: No, we have not succumbed to their claim. We are only asserting our claim.

Shri Goray: May I know whether it is a fact that while these negotiations are going on, Pakistan, so far as the embankment on its part of the river is concerned, has built embankments, but we are not doing it, and that is why this town is being endangered?

Shrimati Renu Chakravartty: They have got spurs which have affected our boundary.

Shrimati Lakshmi Menon: We were trying to protect our bank also, but then, the Pakistanis have not been very helpful or co-operative. They resort to firing on our workers there, and that is why the whole trouble has arisen, and hence the negotiation and the assertion of claims by both the parties.

Shri Goray: The Deputy Minister has just now stated that we cannot put up our embankments, because they are firing on our workers. I would like to know where the question of mid-stream arises, if we build embankments on our side.

Shrimati Lakshmi Menon: Probably, the hon. Member has not listened to my answer. After the merger, Pakistan has been claiming the entire river as its, and, therefore, they are not allowing us to build embankments.

Shri Goray: But you claim that the mid-stream is the boundary. This is your claim as against their claim. So, why can you not build your own embankments?

Shrimati Lakshmi Menon: That is the dispute. The dispute is that Pakistan, against all international conventions, is claiming the entire river as its own and preventing our people from putting up embankments to prevent erosion on the Sabroom town.

Shri Goray: Can you not fire back? If you say that the mid-stream is the boundary.....

Mr. Speaker: I have never said anything.

Shri Goray: I mean that the Deputy Minister said so.

Mr. Speaker: That is all right. It is no good crossing swords like this.

Shri Goray: Please understand that the claim, as she said, was....

Mr. Speaker: I am only anxious that there should be no firing here.

Shri Goray: Please understand this that the whole position has been made clear by the Deputy Minister as follows.

Mr. Speaker: Hon. Members may put all relevant questions through me and not directly to the Minister. If they begin to cross swords like this, that is not proper.

Shri Goray: What I was saying was that the claim as represented by India is.....

Mr. Speaker: The hon. Member is making a suggestion that our side also may use the revolver.

Shri Goray: Why do we not protect our rights according to our own claims or rights?

Shri Sadath Ali Khan: I may add that in the month of August, the Tripura Administration informed the East Pakistan Government that work on our side would continue, and the work is continuing. The East Pakistan Government replied that only the inner rampart wall might be constructed, and we agreed to this, and this is being done.

Shrimati Renu Chakravartty: The point which has been raised is not about that. It is not about the inner rampart wall or the outer rampart wall. The point is that on our part of our territory, we should proceed according to our needs regarding embankments. What is the obstruction in that? Since it is our own territory, it has nothing to do, as far as we are concerned, with the opinion of the Pakistan Government.

Shrimati Lakshmi Menon: The obstruction is this. We have to take mud and sand from the river in order to put up the embankments. But they said, 'No, you cannot touch the river, because the river belongs to us'; and that has to be settled; they have not agreed to the fact that the mid-stream is the boundary. All these negotiations are taking place in order to convince them that the mid-stream is the boundary and, therefore, we have a right to take whatever we want from our side of the river and put up embankments.

Allotment of Bungalows to Members of Parliament

*1117. **Shri A. M. Tariq:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the Director of Estates is allotting bungalows to the Members of Parliament directly in their individual capacity;

(b) whether the House Committee of both the Houses is being consulted before allotment, if not, the reasons therefor; and

(c) the number of bungalows which have been allotted directly by the Director of Estates to M.P.s?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). No bungalow belonging to M.P.s' Pool is allotted to a Member of Parliament by the Director of Estates without the approval of the House Committee concerned.

(c) Nine bungalows have been allotted to Members of Parliament directly. These bungalows do not belong to M.P.s' Pool but to General Pool.

Shri A. M. Tariq: May I know from the hon. Minister whether it is a fact that all the allotments which are made to Members of Parliament are the responsibility of the House Committee of both the Houses, and if so, may I know under what authority the Director of Estates has allotted these houses directly to the

Members of Parliament? May I also know who that Member of Parliament is who has recently been allotted a bungalow, and under what condition he has been allotted this bungalow?

Shri Anil K. Chanda: The first part of the hon. Member's question is based upon incorrect information. These nine bungalows, which are referred to, which are not really speaking in the M.P.s' pool are given to leaders of political parties or people who have held very high and important positions in State; and these allotments have been made generally with the approval of the hon. Prime Minister, the Minister of Parliamentary Affairs or the Speaker of the Lok Sabha or the Chairman of the Rajya Sabha. I might mention the names of these nine people; they are: Shri S. A. Dange, Acharya Kripalani, Shri Jaipal Singh, Dr. Tara Chand, ex-Ambassador, Shri Jairamdas Daulatram, ex-Governor and ex-Minister, Shri A. P. Jain, ex-Minister, Dr. Syed Mahmud, ex-Minister, Shri Mohanlal Saksena, ex-Minister, and Shri N. G. Ranga, ex-Minister. (Laughter) I am sorry. Shri Ranga has not been a Minister yet; therefore, he is not an ex-Minister.

Shrimati Renu Chakravartty: Are we to take it that the house allotted to Shri S. A. Dange is not in the M.P.s' pool? It has been an M.P.'s residence even long before Shri S. A. Dange became a Member of this House?

Shri Anil K. Chanda: I have made the position very clear. May I elaborate my answer? Generally speaking, there are three types of accommodation which are available to Members of Parliament. There are the old type bungalows round about Feroze Shah Road; then, there are the new flats built on South Avenue and North Avenue then and there are, a number of rooms and suites in the Constitution House and Western Court; and recently, during the life of this Parliament, some more flats have been made available on the

Vinay Marg. These form really the M.P.s' pool. Over and above this, in order to make some special provision for some very important persons, whom I might call, VIPs, certain bungalows from time to time have been made available to these eminent people whose names I have mentioned. They are generally leaders of parties or ex-Ministers.

Shrimati Renu Chakravartty: The house which is occupied by Shri S. A. Dange now was being occupied by a Member of Parliament from this House in the first Parliament long before Shri S. A. Dange came to this House.

Shri Anil K. Chanda: Yes, but that does not contradict what I have stated. Shri S. A. Dange's house, long before he came there, was under occupation by another important Member of Parliament.

Shri Ansar Harvani: Is it not a fact that the Director of Estates has allotted these houses independently of the House Committee, because the Chairman of the House Committee is mostly absent from Delhi, and often he has to issue instructions from Bombay and Bangalore?

Shri Anil K. Chanda: Possibly the hon. Member did not hear my answer. I said these bungalows which are not in the M.P.s' pool and are given to leaders of parties, ex-Ministers and so on, are allotted, generally speaking, with the approval of the hon. Prime Minister, the Minister of Parliamentary Affairs and the Speaker of the Lok Sabha or the Chairman of the Rajya Sabha as the case may be. These are not really houses belonging to the MPs' pool, and it is certainly not allotted by the Director of Estates under his own authority. He is authorised by us.

Shri A. M. Tariq: Very recently the Director of Estates allotted a bungalow to a Member of Parliament who is neither a leader of the Opposition nor an ex-Minister, and it was allotted because his son was forced to vacate by the Government

because he had rented his own house to a foreign company for Rs. 2,000 per month. The house was allotted in the name of the father who is a Member of Parliament, and the Member of Parliament has not shifted to the house, but the son has already shifted. May I know what action is being taken in the case?

Shri Anil K. Chanda: Recently a bungalow, at the request of the Chairman of the Rajya Sabha, has been allotted to a very distinguished Member of the Rajya Sabha. I have no reasons to believe that the hon. Member to whom the bungalow has been allotted is not living in that bungalow.

An Hon. Member: What is his name?

Shri Anil K. Chanda: Kaka Kalelkar.

Shri A. M. Tariq: This person who is an important officer in the Ministry of Commerce and Industry, and a very influential person, was evicted by the same Ministry on the ground that he had rented his own house to a foreign company for Rs. 2,000 per month. Then, without consulting the House Committee, the house was allotted to his father who never applied for a bungalow; neither has the Chairman of the House Committee recommended his case. The Minister has gone out of the way and ordered the house to be given to this gentleman, and the hon. Member has not shifted. He is still in the old house, where still his telephone number is there. In the circumstances I would like to know what action Government is taking.

Shri Anil K. Chanda: I do not know why the lapse of a son should be linked up with the poor father. So far as this bungalow which has been allotted to Shri Kaka Kalelkar is concerned, it is not one belonging to the MPs' pool, and therefore the question of the Chairman of the House Committee coming into the picture does not arise at all. As an important Member of the Rajya Sabha, he was allotted the bungalow.

Shri A. M. Tariq: I want to know from him if it is not a fact that the Director of Estates issued a letter to the liaison officer who is working in Parliament stating that such and such a number bungalow was allotted to the pool of Parliament, and it must be allotted to such and such Member. That means the house has first come to the pool of Parliament, and was then allotted under the directions of the Director of Estates to that Member.

Mr. Speaker: The hon. Member seems more to be giving information than asking for it. He has not put it properly but evidently he wants to know why, when, according to him, an order has been issued or some communication sent to him that a particular bungalow was allotted to the pool of the Rajya Sabha or to the legislature and there was a likelihood of its being allotted to the hon. Member, that is himself, that has been cancelled, that is taken away from the pool, and given to somebody else. That is the question, evidently.

Shri Anil K. Chanda: The position is this. The reference is to Bungalow No. 11, Allenby Road. It was formerly in the occupation of Shri L. N. Mishra, when he was Parliamentary Secretary. And, as you know, Parliamentary Secretaries are also given Government bungalows. When Shri L. N. Mishra became a Deputy Minister, the house fell vacant. I informed the Chairman of the House Committee that we were allotting this bungalow to an officer, and if there was any need of a special bungalow for an important Member of Parliament, of course it would be allotted.

Mr. Speaker: The only question is: once it was allotted for distribution among Members, why was it withdrawn from the pool?

Shri Anil K. Chanda: That is not the correct position. It was decided by the Accommodation Sub-Committee of the House Committee of the Lok Sabha at its meeting on 6th

March, 1961 that Shri A. M. Tariq was to be allotted a bungalow at Gurdwara Road or Allenby Road in lieu of the present Flat No. 313 Vinay Marg. I submit it was not within the competence of the sub-committee really to pass a resolution to that effect, for the simple reason that the house does not belong to the MPs' pool.

Mr. Speaker: Let this matter be taken up by the House Committee once again, instead of their arguing it out across the benches. Whatever might be the relationship of an hon. Member with an officer, an hon. Member of the Rajya Sabha is also entitled to a bungalow, as an hon. Member of this House. This was allotted to him. That by itself cannot constitute an offence or irregularity. As to the particular motives or reasons, we need not go into that. If the hon. Member thought he would get a bungalow and has been disappointed, I shall ask the House Committee to look into this matter.

Shri M. L. Dwivedi: On a point of order, Sir.

Shri A. M. Tariq: As my name has been mentioned and you have been kind enough to say that I have been disappointed, I may say that I have definitely been disappointed for the last four or five years, but the point is this. I was taken by the officers of the same Ministry. They asked me to select a house. I selected it. It was confirmed. Later on it was said that this house had been given to the pool of the Rajya Sabha, and then it was allotted directly to a Member. That is my point. How is it it was not allotted to the pool? My point is: it was allotted to the pool of the Rajya Sabha, and then directly given to some Member. So, I want confirmation whether it was given to the pool and then allotted or if it was given without the pool?

Mr. Speaker: Are not allotments to Members of Parliament made through the House Committee?

Shri Anil K. Chanda: Yes, those houses which belong to the MPs' pool. Each of these nine houses which have been allotted to senior Members of Parliament, if I may say so, have been allotted with the approval of the Prime Minister and the Minister of Parliamentary Affairs. These allotments have not been made by the House Committee.

Mr. Speaker: Has this house been put into the pool for the legislature?

Shri Anil K. Chanda: Which house?

Mr. Speaker: This bungalow which has been allotted.

Shri Anil K. Chanda: As I said, these bungalows which were meant for certain Members of Parliament are not bungalows belonging to the MPs' pool, but made available to senior Members for special reasons.

श्री म० लाल द्विवेदी : आनरबल मिनिस्टर ने कहा कि कुछ इम्पार्टेंट मम्बरों को विशेष सुविधा दी जाती है। मैं जानना चाहता हूँ कि इस नदन के सब सदस्य बराबर हैं या कुछ विशेष महत्व के हैं और कुछ कम महत्व के हैं ? मन्त्री जो कहते हैं कि कुछ विशेष महत्व के हैं, मॉर इम्पार्टेंट हैं। क्या ऐसा इस हाउस में हो सकता है ?

Mr. Speaker: There is no good unnecessarily getting vexed over these matters. There are senior Members, there are junior Members. Apart from all that, there is no insult meant by the hon. Minister. What has been done is: some flats, some rooms and some bungalows are put into the pool to be distributed to the Rajya Sabha and Lok Sabha Members. Independently, from time to time, if leaders of particular groups or other senior Members say that they want bungalows independently of the pool, the Government has been, without putting them into the pool, accommodating them. I do not know if in Question Hour we want to decide that Government shall not have any right at all, that if anything is given to any Member of this House, it shall be done

only through the House Committee. I know a number of cases where the leaders of various groups have been given bungalows merely because they were leaders of groups; and ex-leaders of groups are also given.

Shri C. D. Pande: Even we have been given who are not leaders.

Mr. Speaker: There is no point of order.

Shri M. L. Dwivedi: What I was seeking to bring to your notice was this. I do not question leaders of groups being given particular houses. The hon. Minister was referring to an hon. Member, Shri Kaka Kalelkar, who is not a leader of a group. He was saying there are some important Members who are given special preference. I want to know whether there are differences among Members. Leaders of groups may be given.

Mr. Speaker: There is no point of order.

Shri D. C. Sharma: I think Shri M. L. Dwivedi is a very important Member.

WRITTEN ANSWERS TO QUESTIONS

Phosphorus Plant

*1099. { **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1281 on the 3rd April, 1961 and state:

(a) whether Government have since received report from National Industrial Development Corporation for setting up of a Phosphorus Plant in India;

(b) if so, whether Government have considered it; and

(c) if so, with what result?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). The team of three engineers, sent to U.S.A. under T.C.M. programme by the National Industrial Development Corporation Limited in November, 1959, for making a techno-economic study about the possibilities of setting up a plant for the production of elemental phosphorus in the country, have submitted their report, copies of which are available in the Parliament Library. The question of setting up a project for the manufacture of phosphorus in the public sector is at present under active consideration of the Government.

Ashoka Hotel

*1100. { **Shri Chuni Lal:**
Shri Ram Krishan Gupta:
Sardar Iqbal Singh:

Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Starred Question No. 1624 on the 19th April, 1961 and state:

(a) whether Government have considered the question of high operating expenses of Ashoka Hotel; and

(b) if so, the result thereof; and

(c) the steps taken for the reduction of expenses?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) The matter is under consideration.

(b) and (c). Do not arise.

Gunny Bags

*1102. **Shri Indrajit Gupta:** Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Unstarred Question No. 1288 on the 8th March, 1961 and state:

(a) whether large-scale purchases of new jute gunny bags by various Government departments are having an inflationary effect on the jute goods market;

(b) the quantity of new bags purchased on Government account between January and June, 1961; and

(c) whether in view of the abnormal situation caused by speculation in prices of jute goods, Government have since considered the desirability of purchasing second hand gunny bags only?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) No, Sir. The Government purchases being a small fraction of total volume of jute trade, do not produce any significant effect on the market. During December, 1960 to March, 1961, when the market had become very sensitive, any enquiry for goods assumed a significance far greater than the situation warranted.

(b) 430 lakh bags.

(c) Jute market is now steady. The question of purchasing second-hand bags has been considered. Since there is no organised market for the sale of second-hand jute bags, from which substantial quantities of suitable bags can be purchased, and there are inherent difficulties in evaluating second-hand stores, it has been decided to drop the question as impracticable.

Cable Factory at Thripunithura

*1103. { **Shri Kodiyan:**
Shri Narayanankutty Menon:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 1226 on the 8th March, 1961 and state the further progress since made in the setting up of cable factory at Thripunithura (Kerala) with Japanese collaboration?

The Minister of Industry (Shri Manubhai Shah): A statement is laid on the Table of the House.

STATEMENT

Traco Cable Company Ltd. had applied for a licence for the import of capital equipment worth Rs. 17.20

lakhs. This was approved in principle in February, 1961 and the firm were requested to take further action to negotiate with suppliers in Japan for deferred payments under refinancing arrangements with the Japanese Export-Import Bank. The promoters of the Company were not able to raise the capital of Rs. 40 lakhs for which approval had been accorded by Govt. and no further progress in the implementation of the scheme was, therefore, made. Subsequently, in July, 1961 the Traco Enterprises Pvt. Ltd., Ernakulam, the Managing Agents of the Traco Cable Co. resigned their office as Managing Agents, and passed a resolution that the licence granted to them for the establishment of factory for the manufacture of wires and cables should be transferred to the Government of Kerala. M/s Traco Cable Co. have accepted the resignation of the Managing Agents and placed one of their Directors in charge of the day-to-day administration of the Company. They have also requested the Government of Kerala to subscribe to the shares remaining unsubscribed. That Government have accepted the above request. The Company has since obtained the commencement Certificate from the Registrar of Companies, Kerala on the 20th July, 1961. No amendment of the licence is required as the Traco Cable Co. will continue to be the owner of the undertaking.

Accidents in Budroochuck and Simlabahal Collieries

*1104. Shri S. M. Banerjee: Will the Minister of Labour and Employment be pleased to state:

(a) whether action has been taken against the mine-owners for the criminal negligence which led to the serious accidents in Budroochuck and Simlabahal Collieries; and

(b) the nature of action taken?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) and (b). Yes. Criminal proceedings have been instituted against the managements of the Budroochuck and Simlabahal Colli-

ries for contravention of the provisions of the Coal Mines Regulations 1957, relating to depillaring operations, systematic timbering rules, development work and roads and working places.

ट्रेक्टरों का आयात

*११०५. श्री विभूति मिश्र : क्या वाणिज्य तथा उद्योग मन्त्री यह बताने की कृपा करेंगे कि :

(क) पिछले १० वर्षों में किन-किन देशों से और कितने ट्रैक्टर आयात किये गये;

(ख) क्या यह सच है कि विदेशों से जो ट्रैक्टर मंगाए गये हैं उनके पुर्जे नहीं मिल रहे हैं; और

(ग) यदि हां, तो सरकार ने इस सम्बन्ध में क्या कार्यवाही की है ?

वाणिज्य मन्त्री (श्री कानूनगो) : (क) भारत में अप्रैल, १९५१ से १९६० के अन्त तक ३५,४८१ ट्रैक्टर मंगाये गये। ये मुख्यतः इन देशों में आये हैं:—

आस्ट्रेलिया, आस्ट्रिया, बेल्जियम, कनाडा, चेकोस्लोवाकिया, पश्चिमी जर्मनी, इटली, जापान, पोलेंड, फ़िनलैंड, ब्रिटेन, अमेरिका, सोवियत रूस और यूगोस्लाविया।

(ख) जी, नहीं।

(ग) प्रश्न ही नहीं उठता।

Fertilizer Plant in Madras

*1107. { Shri Ajit Singh Sarhadi:
Shri Balakrishnan:

Will the Minister of Commerce and Industry be pleased to state:

(a) the terms and conditions of aid for the setting up of Compound Ammonium Phosphate fertilizers plant at Ennore in Madras to be given by the Commonwealth Development Finance Co. Ltd.;

(b) whether the fund will be in foreign exchange; and

(c) whether its allocation will be limited to imports from the United Kingdom?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). A Statement is laid on the Table of the Sabha.

STATEMENT

The Commonwealth Development Finance Company Limited have agreed to give a Sterling loan of £ 600,000 to M/s. East India Distilleries and Sugar Factories Limited for meeting a part of the foreign exchange required for setting up the fertilizer factory for the manufacture of ammonium phosphate at Ennore in Madras. The loan will bear an interest at 7% per annum subject to tax, and would be repayable in five equal annual instalments between the years 1971 and 1975. The C.D.F.C. have not made it a condition of the loan that imports should be made only from the U.K.

Manufacture of Scooter Engines

*1110. **Shri Kalika Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Enfield India Ltd. have entered into an agreement with the Villiers Engineering Co. of Wolverhampton, England to manufacture scooter engines;

(b) if so, what other articles are likely to be manufactured in Tiruvottiyur, Madras where the factory is to be established;

(c) whether Cycle Equipment (Private) Ltd. of Okhla are also to produce Villiers' free wheel in collaboration with the above U.K. firm; and

(d) what will be the approximate capacities of the two factories?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The Villiers engines will be manufactured in the existing factory of the firm where Motor Cycles are

already being manufactured. In addition, royal enfield scooters will also be manufactured in the same factory.

(c) Yes, Sir.

(d) M/s. Enfield India Ltd. will have a capacity of 9,600 Villiers Engines per annum while the capacity of M/s. Cycle Equipment (Private) Ltd., Kalkaji is 5 lakhs Nos. of free-wheels per annum.

सरकारी ठेके

*११११. श्री क० भे० मालवीय : क्या निर्माण, आवास और संभरण मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ११ जुलाई को उन्होंने जबलपुर में अपने भाषण में यह कहा था कि सरकारी निर्माण-कार्य के ठेके निर्जी व्यक्तिओं को नहीं दिये जायेंगे;

(ख) यदि हां, तो क्या सरकार सरकारी ठेके केवल सहकार समितियों को ही देने का निश्चय करेंगी; और

(ग) यदि हां, तो कब तक ?

निर्माण, आवास और संभरण उपमन्त्री (श्री अनिल कु० चन्दा) : (क) ऐसा लगता है कि माननीय सदस्य प्रधान मन्त्री द्वारा जबलपुर में दिये गये एक भाषण के दौरान में कही गई बातों की ओर निर्देश कर रहे हैं। उस भाषण का कोई प्रामाणिक अभिलेख उपलब्ध नहीं है।

(ख) और (ग) वर्तमान सरकारी नीति के अनुसार १०,००० रुपये से कम वाले गये मुख्य वाले निर्माण कार्यों के ठेके बिना टेंडर मंगाये श्रम-सहकार समितियों को दिये जा सकते हैं। स्थिति का समय समय पर पुनरवलोकन करते रहना होगा। श्रम-सहकार समितियाँ केवल बनने की दशा में हैं और अभी बड़े मुख्य के ठेकों को सम्भाल पाने में समर्थ नहीं हैं।

पाकिस्तान द्वारा काश्मीर में एक सड़क का निर्माण

*१११३. श्री रघुनाथ सिंह : क्या प्रधानमंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पाकिस्तान सरकार काश्मीर के पाक-अधिकृत क्षेत्र में सामरिक महत्व की एक सड़क गैर-कानूनी तरीके से बनवा रही है और उक्त सड़क पेशावर को बरास्ता गिलगित स्कर्ट में मिलायेगी;

(ख) क्या यह भी सच है कि पाकिस्तान काश्मीर के पाक-अधिकृत क्षेत्र में सामरिक महत्व की अब तक छै मी मोन लम्बी सड़कें बनवा चुका है; और

(ग) क्या यह भी सच है कि गिलगित का हवाई अड्डा ध्वनि की गति से तेज चलने वाले (सुपरसोनिक) विमानों के उपयोग के लिए तैयार किया जा रहा है ?

बैदेशिक-कार्य उपमंत्री (श्रीमती लक्ष्मी मेनन) : (क) जी हाँ ।

(ख) जो सड़कें बना ली गई हैं, उनकी लंबाई के बारे में सरकार के पास कोई ठीक सूचना नहीं है ।

(ग) रिपोर्टों के अनुसार, पाकिस्तान अधिकृत काश्मीर में हवाई-अड्डा के सुधार और घमरीकी सैन्य सहायता करार के अंतर्गत पाकिस्तान को प्रतिस्वन (सुपर-सानिक) हवाई जहाजों की सप्लाई को ध्यान में रखते हुए, इस प्रकार का अनुमान लगाना बेजा न होगा ।

Advertisements

*1114. Shri Tangamani: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether advertisements issued by the Directorate of Advertising and Visual Publicity during 1960-61 followed the recommendations of the Press Commission with regard to telescopic rate tariff;

(b) if not, the variations made;

(c) what was the cost of advertisements for the year 1960-61 and the number of papers covered; and

(d) whether circulation of these papers exceeded 10,000?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). The Press Commission had suggested a telescopic tariff for Government advertisements varying with circulation and subject to a maximum. After considering the whole question carefully, it was found that conditions, including the circulation of papers, had considerably changed from the time of Commission's report and it was decided that it would be better to negotiate with papers individually on the basis of general principles which include a justification for Government to claim a special consideration in respect of rates for Government advertisements.

As a result of direct negotiations with papers, Government has been able to secure many concessions regarding its advertisements.

(c) The cost of the advertisements issued by the D.A.V.P. during 1960-61 amounted to Rs. 54.96 lakhs. A total number of 994 papers were covered.

(d) Out of the above newspapers, 225 were with a circulation of 10,000 and above.

Industrial Crisis in Gujarat

*1118. Shri M. B. Thakore: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that there is "Industrial Crisis" in Gujarat due to shortage of raw material from the Government of India:

(b) if so, the details thereof; and

(c) whether the Government of Gujarat represented recently to the Government of India to supply raw material to them?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). There has been no "industrial crisis" in Gujarat due to shortage of raw materials. Factories in Ahmedabad recently experienced some shortage of coal and prompt action was taken to remedy it.

(c) No, Sir.

Supply of Raw Jute to Jute Mills

*1119. **Shri K. P. Sinha:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the supply of raw jute for the working of the jute mills is very inadequate even on the arrival of new crop; and

(b) what is the estimated total yield of jute crop this year in the country and whether it will be sufficient to run the jute mills for the whole year?

The Minister of Commerce (Shri Kanungo): (a) The arrival of crop was delayed this year due to the absence of rain during the month of July which is necessary for retting purposes. Raw jute has, however, started coming into market since the first week of August, and it is expected that the supply position will rapidly improve.

(b) The forecast of crop this year is expected to be very favourable in view of the increased acreage under cultivation of jute. Under normal circumstances the current crop should prove sufficient to meet the requirements of the industry for current consumption and for building up some stocks.

U.S. Project "Needles"

*1120. **Shri Narasimhan:** Will the Prime Minister be pleased to state:

(a) whether Government's attention has been drawn to U.S. Project "Needles", a plan to eject 350 million small pieces of wire from a satellite to encircle the earth at a certain height;

(b) whether the possible and serious effects of this project have been examined;

(c) if so, what are they; and

(d) whether any steps have been taken or proposed to be taken to deal with the matter jointly or in concert with any other country or through international forums?

The Parliamentary Secretary to the Prime Minister and Minister of External Affairs (Shri Sadath Ali Khan): (a) Government has no official information about the U.S. Project "Needles" or about the objects it is expected to achieve.

(b) to (d). Do not arise.

Implementation of Recommendations of Sugar Wage Board

*1121. { **Shri Ram Krishan Gupta:**
Shri Chuni Lal:
Pandit D. N. Tiwari:
Shri S. M. Banerjee:
Sardar Iqbal Singh:
Shri M. L. Dwivedi:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 1691 on the 24th April, 1961 and state the result of efforts made so far with regard to implementation of the recommendations of the Sugar Wage Board in different States?

The Deputy Minister of Labour (Shri Abid Ali): Out of 170 sugar factories, 84 have already started implementing the recommendations. 33 more factories are reported to be taking action to implement. The State Governments concerned are pursuing the matter with the managements of the remaining factories.

Heavy Pumps and Compressors

*1122. { **Shri Bibhuti Mishra:**
Shri P. G. Deb:
Shri S. A. Mehdi:
Maharajkumar Vijaya
Ananda:

Will the Minister of Commerce and Industry be pleased to state whether

it is a fact that U.S.S.R. Government has agreed to the production pattern suggested by India for the plant for the manufacture of heavy pumps and compressors?

The Minister of Industry (Shri Manubhai Shah): The U.S.S.R. Government has agreed to prepare a technoeconomic report on production of compressors and pumps in India by utilising a portion of the 112.5 million roubles credit offered by them towards cost of the report. Necessary initial data for the preparation of such a report are being collected and examined for supply to the U.S.S.R. experts.

Tax due to Calcutta Corporation from Central Government

*1123. { **Shri Aurobindo Ghosal:**
Shrimati Renu Chakravartty:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether any tax from the Central Government is due to Calcutta Corporation for the properties of the Central Government within its Municipal area; and

(b) if so, what is the amount due and what steps have been taken to pay it up?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes, Sir.

(b) Information regarding the demand received from the Calcutta Corporation is being collected from all the Ministries of the Government of India and will be placed on the Table of the House. The Central Public Works Department made a provisional payment of Rs. 16 lakhs during 1957-58 and 1958-59 and a further provisional payment of about Rs. 2.50 lakhs during 1960, to be later adjusted against the actual amount due. The Ministry of Defence made a similar provisional payment of Rs. 12 lakhs in November, 1959.

Claims of West Pakistan Refugees

*1124. **Shri Balraj Madhok:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) how many claims of the displaced claimants from West Pakistan yet remain to be finalised;

(b) how long it will take to finalise them; and

(c) whether this work will be completed before the Ministry is wound up?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) Out of about 5 lakh verified claims including applications for rehabilitation grants, only about 10,000 remain to be finalised.

(b) and (c). Within the next few months.

Mail from Pakistan

*1125. **Shri Indrajit Gupta:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that large quantities of mail despatched from Pakistan have been returned by Indian customs authorities;

(b) if so, the reasons for such action;

(c) whether Pakistan has lodged any protest and threatened counteraction against Indian mail; and

(d) Government's reactions in the matter?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). Under mis-apprehension some postal articles bearing Pakistan postage stamps showing the frontiers of India inaccurately, were not allowed entry into India.

(c) No Sir.

(d) There is no change in the Government policy as stated by the Prime Minister in reply to supplementaries

on starred question No. 1204 in this House on March 31, 1960.

Safety Equipment Committee

- *1126. { Shri Ram Krishan Gupta:
Shri Chuni Lal:
Shri S. C. Samanta:
Shri Subodh Hansda:
Sardar Iqbal Singh:
Shri Muhamed Elias:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 1627 on the 19th April, 1961 and state:

(a) whether Government have ascertained views of the interested parties on the report of Safety Equipment Committee;

(b) if so, their reaction; and

(c) the steps taken to implement the recommendations of the Committee?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) to (c). The views of the interests concerned have been received and are being examined.

Conference of Neutral Nations

*1127. Shri Indrajit Gupta: Will the Prime Minister be pleased to state:

(a) the names of those African, Asian, or Latin American countries whose participation in the proposed 'Summit' Conference of Neutral States was supported by India at the preparatory meeting;

(b) countries whose participation was opposed by India; and

(c) Government's basis for deciding this issue?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c). The Preparatory Meeting at Cairo did not decide on the countries to be invited to the Conference of Heads of State or Government of non-aligned countries commencing at Belgrade on the 1st September, 1961. The Meeting, however, adopted certain

criteria to be observed for extending invitations. It was actually left to a Committee of diplomatic representatives in Cairo of the countries that participated in the Preparatory Meeting to decide on the additional countries to be invited and it was understood that their deliberations as well as decisions were to be considered confidential. The approach of the Government of India was to interpret the principles laid down in as liberal a manner as possible. India proposed or supported the invitation of a number of countries. A number of these were added to the list of invitees, while some were not so added.

Occupation of Indian Territory by Pakistan

2912. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1360 on the 6th April, 1961 and state:

(a) whether the dispute regarding occupation of area known as Jalaiya area in Amarpur and Sabroom subdivision of Tripura by Pakistan has been settled; and

(b) if so, the result thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) No Sir.

(b) Does not arise.

(It has now been clarified by the Tripura Administration that the "disputed area" into which 12 Pakistani families are reported to have infiltrated is not really the Jalaiya area as such but an area near the Jalaiya village. This "disputed area" is bounded by the streamlet Ranga Feni on the West and Asalong or Dhala Feni on the East. The proposed on-the-spot joint inspection by local officers of Tripura Administration and East Pakistan to verify facts has not yet taken place.)

Katcha Thivu Island

2913. { **Shri Ram Krishan Gupta:**
Sardar Iqbal Singh:

Will the **Prime Minister** be pleased to refer to the reply given to Unstarred Question No. 3304 on the 14th April, 1961 and state:

(a) whether Government have since considered the question of the possession of the Katcha Thivu Island; and

(b) if so, the result thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) We do not consider that the present is the right time to raise the matter with the Government of Ceylon.

(b) Does not arise.

Superphosphate Plant

2914. **Shri Ram Krishan Gupta:** Will the **Minister of Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 3335 on the 14th April, 1961 and state:

(a) whether Government have since considered the request received from a private party for setting up a superphosphate plant in Tanjore District of Madras State; and

(b) if so, with what result?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Yes.

(b) The application was rejected because sufficient capacity for the manufacture of superphosphate had already been licensed. The position may be reviewed towards the end of September, 1961 and fresh applications entertained thereafter, if considered necessary.

Export of Cattle

2915. **Shri Ram Krishan Gupta:** Will the **Minister of Commerce and Industry** be pleased to state:

(a) the total number of cattle exported to foreign countries during 1960-61;

(b) the foreign exchange earned; and

(c) what is the programme for export of cattle during 1961-62?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) 49.

(b) Rs. 16,855.

(c) No special programme for export of cattle is drawn up. Only a small number of cattle is allowed export against specific requests from foreign buyers.

Indian Missions Abroad

2916. { **Shri Ram Krishan Gupta:**
Shri Pangarkar:
Shri D. C. Sharma:

Will the **Prime Minister** be pleased to state:

(a) the names of the countries in which new Missions were opened during 1960-61; and

(b) the names of the countries in which new Missions will be opened during 1961-62?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) During the year 1960-61, new Missions were set up in the following countries:—

Congo (Leopoldville)—19-9-1960.

In addition, a Trade Commission was established at Vancouver in August, 1960.

(b) During 1961-62, new Missions have been proposed to be opened in the following countries:—

(a) Somalia

(b) Senegal

(c) Tanganyika

(d) Cuba.

In addition, a Trade Commission has recently been opened in Kuwait.

**Facilities to Pilgrims going to
Pashupati Nath Temple,
Nepal**

2917. Shri Ram Krishan Gupta: Will the Prime Minister be pleased to state:

(a) whether it is a fact that there is no adequate arrangement for medical and other facilities to pilgrims going to Pashupati Nath Temple in Nepal on Shivratri day; and

(b) if so, the steps taken or proposed to be taken in this matter?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). No, Sir. Arrangements for medical and other facilities in Nepal for pilgrims are made by the Government of Nepal. At Raxaul in India near the border the Government of Bihar provide medical and sanitation facilities for pilgrims going to Nepal. These arrangements are regarded by the authorities concerned as adequate.

Employment of Educated Unemployed

2918. Shri Pangarkar: Will the Minister of Labour and Employment be pleased to state the number of persons employed from amongst the registered unemployed graduates, intermediates and matriculates in Maharashtra during January—June, 1961?

The Deputy Minister of Labour (Shri Abid Ali):

Graduates	593
Intermediates	295
Matriculates	7,082

Violation of Code of Discipline

2919. Shri Pangarkar: Will the Minister of Labour and Employment be pleased to state:

(a) the number of complaints received by Government between March, 1961 and June, 1961 from employers charging the labourers for violation of the Code of Discipline; and

(b) the action taken on all those complaints?

The Deputy Minister of Labour (Shri Abid Ali): (a) 28 requiring action by Government.

(b) (i) In 12 cases violations were established on inquiry and brought to the notice of the erring parties or their Central Organisations.

(ii) In 2 cases parties were brought together and settlement reached.

(iii) In 3 cases the allegations were not established on enquiry.

(iv) 2 cases being in State sphere, were referred to the respective State Governments for action.

(v) 9 complaints are under investigation.

Labour Employed in Cement Industry

2920. Shri Pangarkar: Will the Minister of Labour and Employment be pleased to state:

(a) whether an inquiry has been conducted into the housing conditions of labour employed in the cement industry;

(b) if so, the findings thereof; and

(c) the ways and means suggested to improve the lot of the labour?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c). The findings will shortly be published in the Indian Labour Journal. The object of such enquiries is to collect factual information relating to labour conditions.

Jute Industry in Assam

2921. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state the amount allotted to Assam State during the Second Five Year Plan period for the development of Jute Industry?

The Minister of Commerce (Shri Kanungo): A provision of Rs. 28.5 lakhs was made in the Second Five Year Plan of Assam to enable the State Government to participate in a scheme for the establishment of a jute mill by Messrs Assam Jute Mills Ltd.

As the firm failed to make satisfactory progress, the industrial licence issued to them was revoked. The State Government now propose to utilise this provision as their contribution in the share capital of a cooperative mill to be established in Assam during the Third Plan period.

Industrial Development of Bihar

2922. **Shri Pangarkar:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of Large Scale Industries that the Central Government have directly set up in Bihar during the year 1960-61; and

(b) the total amount of investments in these projects?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). No new industrial unit has been set up in Bihar by the Central Government during the year 1960-61. Preparatory work on the following projects of the Central Government in Bihar continued during 1960-61 and the investment made therein is indicated below:—

Name of the Project	Investment made ¹ (Rs. in lakhs)
1. Projects under the management of Heavy Engineering Corporation Ltd., Ranchi.	
(i) Foundry Forge Project at Hatia	136.84
(ii) Heavy Machine Building Project at Hatia	77.79
(iii) Heavy Machine Tool Building Plant, Ranchi	0.23
(iv) Jagannathnagar, Ranchi (Township)	26.19
(v) Connacharges, Ranchi	142.61*
2. Project under the management of Indian Refineries Limited.	
(i) Barauni Oil Refinery	95.20
TOTAL	478.86

*Includes building etc. common to the Projects and establishment and administration expenses at Ranchi.

Artificial Silk Industry in Madras

2923. **Shri Pangarkar:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any scheme under consideration of Government for giving encouragement to the artificial Silk Industry in Madras; and

(b) the nature of steps taken in this direction during the year 1960-61?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) Does not arise.

Village Housing Project Scheme in Maharashtra

2924. **Shri Pangarkar:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the total amount allotted to Maharashtra State under the Second Five Year Plan for Village Housing Projects Scheme; and

(b) The amount actually spent under the above scheme during the above period?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). A statement giving the required information is laid on the Table of House. [See Appendix III, annexure No. 84].

Middle and Low Income Group Housing Schemes

2925. **Shri Pangarkar:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the amount of loan given year-wise to erstwhile State of Bombay and Maharashtra under the Middle and Low Income Group Housing schemes during the Second Five Year Plan period; and

(b) the number of houses constructed during the above period district-wise?

The Deputy Minister of Works, Housing & Supply (Shri Anil K. Chanda): (a) and (b). A statement showing the required information is laid on the Table of the House. [See Appendix III, annexure No. 85].

Amount spent on Residential Accommodation for Ministers

2926. Shri Pangarkar: Will the Minister of Works, Housing and Supply be pleased to state the amount spent on providing residential accommodation for Central Ministers, Ministers of State, Deputy Ministers and Parliamentary Secretaries during 1960-61?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): An expenditure of Rs. 7,56,275 was incurred on additions and alterations and maintenance of bungalows, including horticulture works, house tax and payments on account of water and electricity consumed during 1960-61 in respect of the residences of Central Ministers, Ministers of State, Deputy Ministers and Parliamentary Secretaries.

Cottage Industries in Punjab

2927. Shri Hem Raj: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Handloom Weavers' Co-operative Societies manufacturing woollen goods by hand process from spinning to weaving and finishing get no rebate:

(b) whether it is a fact that the same sort of goods manufactured by Khadi Bhandars using the same process get it; and

(c) whether it is also a fact that this discrimination between the two has given a great set back to the cottage industry in the Punjab Hills especially in Kulu and Kangra?

The Minister of Commerce (Shri Kanungo): (a) and (b). Under the Khadi and Village Industries Commission (a) LSD—3.

sion's programme, the handloom weavers cooperative societies which manufacture woollen goods by hand process from spinning to weaving and finishing, and are certified by the Certification Committee of the Commission received rebates and subsidies and other technical assistance from the Commission. The All India Handloom Board, however, does not have a scheme for grant of rebates on handloom woollen fabrics.

(c) No such report has been received by Government.

Coir Industry in Orissa

2928. Shri Chintamani Panigrahi: Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the Co-operative Societies in Orissa which received Central aid for the manufacture of coir door mats, floor mats and other coir products during the Second Plan period and the amount of aid received by them;

(b) the value of the coir products sold by them so far; and

(c) the amount which was given to the Orissa Government for the development of the coir industry during 1960-61 and 1961-62?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). According to the procedure for sanctioning financial assistance to Coir Co-operative Societies, Central aid is routed through the State Governments who are required to disburse them along with their own share on the basis of the prescribed pattern of assistance for Coir Cooperatives.

The following Coir Cooperative Societies in Orissa have received such assistance to the extent of a grant of Rs. 11,000 and a loan of Rs. 58,750:—

- (1) Kalarabank Narimangal Co-operative Society, Cuttack District.
- (2) Sidhai Gruhalaxmi Cooperative Society, Cuttack District.

- (3) Adhanga Gramojoga Industrial Cooperative Society, Cuttack District.
- (4) Sakhigopal Narimangal Co-operative Society, Puri District.
- (5) Teisipur Multipurpose Co-operative Society, Puri District.
- (6) Gopalpur Industrial Cooperative Society, Ganjam District.

The value of Coir products sold by them so far is estimated at Rs. 49,000.

During 1960-61 a loan of Rs. 11,000 and a grant of Rs. 4,000 were sanctioned to the State Government for their schemes for development of Coir Industry. As regards 1961-62 financial assistance will be made available to the State Government towards the close of the financial year on the basis of their actual expenditure for the first 9 months and anticipated expenditure for the last quarter of 1961-62.

Allotment of Quarters

2929. Shri Madhusudan Rao: Will the Minister of Works, Housing and Supply be pleased to state:

(a) when the next bulk of allotment of quarters to the Central Government servants in Delhi and New Delhi will be made; and

(b) the number of quarters that are ready for allotment in different categories?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) A large number of E, F, G and H class quarters are expected to be available for allotment in November/December 1961.

(b) None at present.

State Council for Vocational Trades in Manipur

2930. Shri L. Achaw Singh: Will the Minister of Labour and Employment be pleased to state:

(a) whether a State Council of Vocational Trades has been formed in

Manipur to advise the Administration for co-ordinating the Vocational Training Programme; and

(b) if so, when it was formed and the names of the personnel?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) Yes.

(b) It was formed on 23rd December, 1960. The composition of the Council is given below:

- | | |
|--|------------------|
| (1) Chief Commissioner, Manipur. | Chairman |
| (2) Chief Secretary, Manipur. | Vice-Chairman |
| (3) Secretary to Manipur Administration in Administrative Department (Development) | Member |
| (4) Secretary, Finance, Manipur | Do. |
| (5) Development Commissioner, Manipur. | Do. |
| (6) Principal Engineer, P.W.D., Manipur | Do. |
| (7) Director of Training, Directorate General of Employment & Training, New Delhi. | Do. |
| (8) Principal, Industrial Training Institute, Imphal (Manipur). | Do. |
| (9) Director of Education, Manipur, Imphal. | Do. |
| (10) Chairman, Territorial Council, Manipur | Do. |
| (11) Chairman, Imphal Municipal Board, Imphal. | Do. |
| (12) Employment Exchange Officer, Manipur Imphal | Do. |
| (13) Director, Industries as Labour Commissioner, Manipur, Imphal. | Member-Secretary |

Paper Mill in Manipur

2931. Shri L. Achaw Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Manipur Administration has sent a proposal for the manufacture of writing and printing papers with a total investment of Rs. 20 lakhs and a capa-

city of 5 tons a day to the Planning Commission;

(b) if so, whether the proposal has been approved; and

(c) whether the paper mill is being set up in the private sector?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The proposal is under examination.

(c) The suggestion is to set it up in private sector.

Mills in Kashmir

2932. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of cement, paper sugar, textile, woollen mills and small instrument factories proposed to be set up in Kashmir during the Third Five Year Plan period;

(b) how many will be in the public and private sectors respectively; and

(c) the names of places where these will be located?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). Jammu and Kashmir Government are considering the establishment in the State of a number of industries, including cement, paper, cotton spinning, instrument industries etc., during the Third Five Year Plan. Most of these industries will be in the Private Sector. Silk and woollen industries are being developed in the State Sector.

Industrial Licences in Punjab

2933. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of licences given to private industrialists in Punjab during the last and current year with the names of the industries;

(b) the location of these industries to be set up; and

(c) the raw material to be used and availability of the same?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). During the year 1960 and upto July, 1961, 84 licences under the Industries (Development and Regulation) Act, 1951 have been issued for the setting up of industrial units in the Punjab. Details of the industries for which these licences have been issued and the locations where these units are proposed to be set up are published in the periodical issues of the Journal of Industry and Trade, copies of which are available in the Parliament Library.

(c) The requirements of raw materials by each licensee comprise of a large number of items and it is not possible to enumerate them. However, in granting the licences due consideration is given to the raw material requirements and their availability.

Violation of J. & K. Cease Fire Line

2934. Shri D. C. Sharma: Will the Prime Minister be pleased to state:

(a) the number of times the Jammu and Kashmir cease-fire line was violated by the Pakistanis since April, 1961 so far; and

(b) the action taken thereon?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Two Hundred and forty-four.

(b) Cease-fire violation complaints were lodged, where possible, with the U.N. Chief Military Observer.

Indian Nationals Migrated to India from Ceylon

2935. Shri D. C. Sharma: Will the Prime Minister be pleased to state the number of Indian nationals who have migrated to India from Ceylon during the last six months?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): A total of 2352 Indian nationals migrated from Ceylon during

the first half of this year (1.1.1961 to 30.6.1961):—

2169	Voluntarily.
1183	On receipt of quit notices.

Nagas

2936. Shri D. C. Sharma: Will the Prime Minister be pleased to state the number of Indian soldiers and civilians released by the Naga rebels during the last six months?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): According to the information available to us, 50 civilians were released by the Naga hostiles during the period 1st February 1961 to 31st July 1961. No member of the Security Forces was released during this period.

Murder of Indian High Commission Official in Ottawa

**2937. { Shri Ram Krishan Gupta:
Shri Chuni Lal:
Shri Bibhuti Mishra:**

Will the Prime Minister be pleased to refer to his statement in Lok Sabha on the 20th April, 1961 and state:

(a) whether any probe was made into the murder of Mr. Sankara Pillai, First Secretary in the Indian High Commission in Ottawa; and

(b) if so, the results thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes, Sir.

(b) The Canadian authorities have instituted proceedings against the accused and these are still in progress.

Art Silk Industry

**2938. { Shri Ram Krishan Gupta:
Shri Chuni Lal:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have considered the recommendation of the

working group for the art silk industry that the industry should be so modernised as to be able to increase its exports substantially; and

(b) if so, the result thereof?

The Minister of Commerce (Shri Kanungo): (a) and (b). Yes, Sir. The recommendation of the Working Group for the Rehabilitation and Modernisation of the Art Silk Industry has been accepted.

Black Market of Newsprint

**2939. { Shri Ram Krishan Gupta:
Shri Chuni Lal:**

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1280 on the 3rd April, 1961 and state:

(a) whether Government have since completed investigation into the alleged purchase of a big stock of news-paper printing paper from black market by a manager of a big daily English Newspaper of Bombay, and

(b) if so, with what result?

The Minister of Commerce (Shri Kanungo): (a) and (b). The investigations are still in progress.

Redevelopment Plan of New Delhi

**2940. { Shri Ram Krishan Gupta:
Shri Chuni Lal:**

Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Unstarred Question No. 2647 on the 3rd April, 1961 and state:

(a) whether Government have considered re-development plans for areas in New Delhi lying between Reading Road, Punchkuin Road, Connaught Place and Irwin Road; and

(b) if so, the result thereof?

The Deputy Minister of Works, Housing and Supply (Shri Anil K.

Chanda): (a) and (b). The matter is still under consideration.

Facilities to Pilgrims Visiting Kailash and Mansarovar

2941. { Shri Ram Krishan Gupta:
Shri Chuni Lal:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1685 on the 24th April, 1961 and state:

(a) whether Government have received any reply to the various representations made to the Chinese Government in regard to facilities to be provided to Indian pilgrims visiting Kailash and Mansarovar; and

(b) if so, the nature of reply received?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Yes, Sir. In their reply, the Chinese Government maintain that their local authorities in Tibet 'have always given protection and facilities' to Indian pilgrims in terms of the 1954 Sino-Indian Agreement. They have also stated that their advice to Indian pilgrims not to visit Kailash and Mansarovar last year was prompted by concern 'or the safety of the lives and properties of pilgrims.

Misuse of Actual User Licence

2942. { Shri Ram Krishan Gupta:
Shri Chuni Lal:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the actual user licence for quotas of imported yarns and steel are being misused in Punjab to a great extent;

(b) whether Government have received any complaints in this regard;

(c) if so, their number; and

(d) action taken thereon?

The Minister of Commerce (Shri Kanungo): (a) to (c). During the last twelve months, complaints were received by the Iron and Steel Controller against four firms in the Punjab in regard to misuse of actual user licences for steel. No such complaint has been received by Government in regard to yarn.

(d) In one of the four cases regarding misuse of steel, the allegations were found to be baseless. The other cases are under investigation.

Defence of Sikkim

{ Shri Ram Krishan Gupta:
Shri Chuni Lal:
Shri Subbiah Ambalam:
Shri Ajit Singh Sarhadi:
Sardar Iqbal Singh:
Shri Raghunath Singh:
Shri N. R. Muniswamy:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1611 on the 19th April, 1961 and state:

(a) whether Government have considered the proposal for a separate para-military force for the defence of Sikkim; and

(b) if so, with what result?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes, Sir.

(b) It is considered that a separate Sikkim Militia will not be necessary. The defence of Sikkim is the responsibility of the Government of India and adequate arrangements for it have been made.

Export of Animals and Birds

2944. { Shri Indrajit Gupta:
Shri Bibhuti Mishra:
Shri P. C. Borechak:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether there has been a decline in foreign exchange earnings on

account of export of Indian animals and birds;

(b) if so, the reasons for such decline;

(c) the principal animals exported during 1959 and 1960, and their numbers sold to various countries;

(d) the amount of foreign exchange earned during 1959-60 and 1960-61 and

(e) the steps taken by Government to increase the export?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). There was a small decline in the export of Indian animals and birds in 1960 as compared with the exports during 1959; mainly on account of lack of demand in foreign countries.

(c) A statement is laid on the Table of the House. [See Appendix III, annexure No. 86].

(d) 1959-60	Rs. 124 lakhs
1960-61	Rs. 90 lakhs

(e) No special steps have been considered necessary.

Houses constructed under Industrial Housing Scheme in Kerala

2945. Shri Kunhan: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the amount provided for the housing schemes for industrial workers under the subsidised Industrial Housing Scheme during the Second Five Year Plan period in Kerala;

(b) the number of houses constructed so far; and

(c) the reasons for the short fall?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) A sum of Rs. 51 lakhs was allocated to the Government of Kerala under the Subsidised Industrial Housing Scheme during the Second Plan period. The amount actually drawn by the State Government

during this period, however, amounted to Rs. 11.57 lakhs.

(b) 250 houses.

(c) The Government of Kerala have stated that the slow progress of the Scheme in the State is due to (i) inability of the workers to pay even the subsidised rents, which are based on the 50% subsidy admissible under the Scheme; (ii) inability of the co-operative societies of Industrial Workers to build houses within the ceiling costs prescribed under the Scheme. These ceiling costs are under revision at present; and (iii) unwillingness of the employers to build houses for their workers in accordance with the existing provisions of the Scheme.

Price of cloth in U.P.

2946. Shri S. M. Banerjee: Will the Minister of Commerce and Industry be pleased to state:

(a) whether price of cloth both medium and fine went up in U.P. during June, 1961;

(b) if so, to what extent;

(c) the steps taken by Government to check the prices; and

(d) whether cloth is being sold at a higher price than the stamped prices?

The Minister of Commerce (Shri Kanungo): (a) No such report has been received by Government.

(b) and (c). Do not arise.

(d) Stamped prices are by and large being observed at various levels all over the country including U.P.

Government Press at Koratti in Kerala

2947. Shri Narayanankutty Menon: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether orders have been placed for machinery for Government Press proposed at Koratti in Kerala;

(b) if not, why; and

(c) when Government propose to begin the construction of the building for the Press?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). Orders for machinery have not yet been placed on account of non-availability of the requisite foreign exchange.

(c) Arrangements are in hand to begin construction of the buildings for the Press.

Middle Income Group Housing Scheme

2948. Shri Damani: Will the Minister of Works, Housing and Supply be pleased to state the progress made in the construction of houses under Middle Income Group Housing Scheme during the Second Five Year Plan period and how far it has come upto the expectation of Government?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): A statement showing the required information is laid on the Table of the House. [See Appendix III, annexure No. 87].

Spinning System

2949. Shrimati Ila Palchoudhuri: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the attention of the Government of India has been drawn to a news item appearing in the *Indian Express* dated the 8th May, 1961 about the invention of new spinning system in the United Kingdom (claimed to be a revolution in the process of spinning condenser yarns and aimed at reducing labour and at the same time producing a yarn suitable for any given end-use)—which is now being marketed by a British Company;

(b) whether any enquiries have been made about it; and

(c) if so, with what result?

The Minister of Commerce (Shri Kanungo): (a) to (c). So far none of the parties who have been allotted

spindles for spinning cotton waste into yarn have expressed a desire to have this machine.

Village Housing Schemes in Bihar

2950. Shri Bibhuti Mishra: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the total amount allotted to Bihar State under Second Five Year Plan for Village Housing Project Schemes; and

(b) the amount actually spent under the above scheme during the above period (district-wise) and progress made?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) The total amount allotted to Bihar State from year to year under the Village Housing Projects Scheme during the Second Five Year Plan period was Rs. 74.30 lakhs. The amount actually drawn by the State Government during that period, however, was Rs. 12.40 lakhs only.

(b) A statement giving the required information is laid on the Table of the House. [See Appendix III, annexure No. 88].

Ejection of Refugees from Mikir Hills

2951. Shrimati Renu Chakravarty: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) how many refugees were ejected from the Mikir Hills on the plea that they were on tribal land;

(b) how many of them were accepted by Government as bonafide refugees and what proof made them eligible to be considered as such;

(c) how many of them have received alternative land and the extent of land area of resettlement;

(d) whether others were not given chance of proving their bona fides by producing the types of circumstantial evidence accepted in West Bengal, to make them eligible for rehabilitation benefits; and

(e) what is their number and their fate?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a), (b), (d) and (e). A total of 3146 families had encroached on land in the Mikir Hills. A survey in 1952 resulted in 565 families who were in possession of refugee registration cards being accepted as bona-fide refugees. 3 further surveys between 1956 and 1959 increased this number to 1024, 1450 and finally 1884 families. The remaining 1262 families could not prove their refugee status on the basis of documentary or other evidence in spite of these surveys and were evicted from the Mikir Hills as encroachers.

(c) Out of 1884 families accepted as bona-fide displaced persons, 685 families have been given alternative land as indicated below:

No. of families	Area of land per family (Bighas)
(1) 450 families in Mikir Hills District	7½
(2) 20 families at Coolie Goosie in Nowgong District	7½
(3) 90 families in Jorabari in Nowgong District	8
(4) 35 families at Titajuli in Nowgong District	8
(5) 95 families in other districts	Varying.

Purchasing countries	Quantity ordered	Value (in Rs.)
G.D.R.	28,000 pairs Hard-made shoes	Rs. 9,17,000.00
U.S.S.R.	1,10,000 pairs Hard-made shoes	Rs. 29,94,145.00
	10,000 pairs Machine-made shoes	Rs. 2,62,600.00
Total	1,48,000 pairs.	Rs. 41,73,745.00

In addition to the above orders, the State Trading Corporation also secured in February 1961 orders from U.S.S.R. for the supply of 3 lakh pairs of shoes valued at Rs. 82,72,910.00. It would not be in the business interest of the Corporation to disclose the terms and conditions relating to these orders.

Irregularities in Issue of Licences

2953. Shri Aurobindo Ghosal: Will the Minister of Commerce and Industry be pleased to state:

Another 100 families are to be settled at Barpani and the remaining 1099 in the neighbourhood of the Jammuna Maudanga Reserve as soon as land can be found and schemes prepared.

Export of Shoes

**2952. { Shrimati Ila Palchoudhuri:
Shri K. B. Malvia:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that large orders for Indian shoes from foreign countries have recently been received; and

(b) if so, the details of the orders as to their value, countries from which they have been received and the terms and conditions on which they have been accepted?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) The State Trading Corporation have recently booked the following orders for shoes from foreign countries:—

(a) if any steps have been taken by his Ministry to detect and put a stop to irregularities in the issue of licences; and

(b) if so, the nature thereof?

The Minister of Commerce (Shri Kanungo): (a) and (b). Presumably the information asked for relates to licences issued under the Import/Export Trade Control regulations. Investigation and vigilance work in the Import/Export Trade Control Organi-

sation receives high priority. Cases involving irregularities are investigated departmentally or through the Special Police Establishment and prosecutions are launched, wherever this is considered appropriate. Firms found guilty of contravening the control rules are black-listed. Procedures regulating the issue of licences are also constantly kept under review with a view to minimising scope for irregularities. Security measures have been tightened.

Companies (Amendment) Act, 1960

2954. Shri Damani: Will the Minister of Commerce and Industry be pleased to state:

(a) how many private companies have been deemed to be public companies by virtue of section 43A of the Companies (Amendment) Act, 1960; and

(b) if so, in what particular branch they were engaged and what is the capital involved?

The Minister of Commerce (Shri Kanungo): (a) and (b). A statement is laid on the Table of the House. [See Appendix III, annexure No. 89].

Central Training Institute for Instructors

2955. Shri Ajit Singh Sarhadi: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that a Central Training Institute for Instructors is going to be opened in Punjab; and

(b) if so, the training potential of such institution and the nature of training envisaged there and location thereof?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) Yes.

(b) The Institute will provide facilities for training of 244 Craft Instructors in engineering trades and will be located at Ludhiana.

Flats in Sarojini Nagar, New Delhi

2956. Shri Ajit Singh Sarhadi: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that a double-storey Government built block of 20 flats in Sarojini Nagar, New Delhi, had been untenanted for the last more than a year;

(b) if so, the reasons thereof; and

(c) whether these have since been occupied?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (c). Forty flats in Sarojini Nagar were built to accommodate community service personnel like sweepers, cobblers, barbers, etc. who were unauthorisedly occupying public land in or around that colony. None of them, however, accepted the allotment of the flats on the plea that they could not afford to pay even the subsidised rents of those quarters. Action is now being taken by the Municipal Corporation of Delhi to allot these flats to other slum-dwellers.

Steel Quota for Delhi and Other States

2957. Shri Ajit Singh Sarhadi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that quota of Steel to Delhi Small Scale Industries has been doubled;

(b) if so, the reasons thereof; and

(c) whether such increase has also been given to Punjab or any other State?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir. There has been no increase in the half yearly allocation of Small Scale Industries quota of indigenous steel, in respect of restricted categories.

(b) and (c). Do not arise.

Soviet Technique of Constructing Houses

2958. Shri Ajit Singh Sarhadi: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether attention of the Government of India has been drawn to the technique evolved by Soviet engineers of building modern comfortable houses out of reeds and straws, which are turned out into light, strong and durable panels, rafters and ceilings after due processing; and

(b) if so, what steps are being taken to get Soviet collaboration to meet the housing problem in India?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) The Government of India are aware of the technique of producing building components from reeds etc. A private firm has already set up a factory at Dhampur (District Bijnaur, U.P.) for the manufacture of reed boards which are utilised as components for construction of low-cost houses. The National Buildings Organisation also arranged for the construction of a demonstration house by the firm at the Exhibition Grounds at Mathura Road, New Delhi.

(b) Does not arise.

लोहे की डलाई का कारखाना

२९५९. श्री बिभूति मिश्र : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर बिहार में लोहे की डलाई का कारखाना खोलने का विचार है ;

(ख) यदि हां, तो यह कारखाना किस स्थान पर खोला जायेगा ;

(ग) क्या इस कारखाने की स्थापना का कार्य किसी गैर-सरकारी उद्योगपति को सौंपा जायेगा ; और

(घ) यदि हां, तो इसके क्या कारण हैं ?

उद्योग मंत्री (श्री मनुभाई शाह) :

(क) से (घ). उत्तरी बिहार में लोहे की डली हुई वस्तुएँ बनाने के लिये कोई लाइसेंस नहीं दिया गया है। शायद यह प्रश्न लोहे के ढले हुए स्पन पाइप बनाने के बारे में पूछा गया है। उद्योग (विकास तथा नियमन) अधिनियम, १९५१ के अधीन मेसर्स गेडे आयरन एण्ड स्टील कं० लिमिटेड को दिनांक १४ अक्टूबर, १९६० को एक लाइसेंस दिया गया है। यह लाइसेंस बिहार राज्य के हजारी बाग जिले के कोडरमा नामक स्थान पर गैर-सरकारी क्षेत्र में एक नया औद्योगिक कारखाना खोलने के लिये दिया गया है जिसमें ३०,००० टन प्रतिवर्ष लोहे के ढले हुए स्पन पाइप और पाइप फिटिंग्स बनाये जायेंगे।

उत्तर प्रदेश के सीमावर्ती जिलों का विकास

२९६०. श्री लुशवक्त राय : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश सरकार ने उत्तर प्रदेश के सीमावर्ती जिलों के विकास के लिए ४८ करोड़ रुपये स्वीकार करने का सुझाव दिया था ;

(ख) क्या यह भी सच है कि योजना आयोग ने उन के लिए तीसरी पंचवर्षीय योजना में केवल २८ करोड़ रुपये मंजूर किये हैं ; और

(ग) राज्य सरकार द्वारा रखी गई मांग में इतनी कमी करने का क्या कारण है ?

योजना उपमंत्री (श्री ह्या० मं० मिश्र) :

(क) से (ग) तक. राज्य सरकार के प्रस्तावों पर विस्तृत विचार करने तथा राज्य प्रतिनिधियों से परामर्श करने के उपरान्त उत्तराखण्ड क्षेत्र के लिए २८ करोड़ रुपये का व्यय मंजूर किया गया।

राज्यों के योजना विभागों के सचिवों का सम्मेलन

२९६१. श्री लुशबक्त राय : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अभी हाल में राज्यों के योजना विभागों के सचिवों का सम्मेलन हुआ था ;

(ख) उक्त सम्मेलन के सम्मुख क्या कार्यक्रम था ;

(ग) सम्मेलन ने क्या निर्णय किये ; और

(घ) उन पर योजना आयोग की प्रतिक्रिया क्या है ?

योजना उपमंत्री (श्री श्या० नं० मिश्र) :

(क) से (घ). मुख्यता योजना के क्रियान्वयन में दिन प्रतिदिन की सामस्याओं पर विचारों के आदान-प्रदान हेतु २ जून, १९६१ को राज्यों के योजना सचिवों का एक सम्मेलन हुआ। इस सम्मेलन में निम्नलिखित विषयों पर विचार हुआ :—

(१) तीसरी पंचवर्षीय योजना में केन्द्रीय सहायता का रूप, (२) १९६१-६२ की वार्षिक योजना का प्रस्तुतीकरण, (३) १९६२-६३ की वार्षिक योजना तैयार करने का कार्यक्रम, (४) प्रगति रिपोर्ट की तैयारी, (५) जिला एवं खंड योजनाओं की तैयारी, और (६) ग्रामीण जनशक्ति के उपयोग के लिए निर्माण कार्यक्रम। इस सम्मेलन का उद्देश्य सामान्य समीक्षा करना था न कि कोई निश्चय करना।

Central Instructor Training Institute,
Madras

2962. Shri P. C. Borooah: Will the Minister of Labour and Employment be pleased to state:

(a) whether the U.N. Special Fund has agreed to aid India in the establishment of the Central Instructor Training Institute at Madras;

(b) if so, what will be the U.N. Fund's contribution to the project; and

(c) what action has so far been taken towards the implementation of the scheme?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a). Yes.

(b) 612,000 U.S. dollars.

(c) Plan of Operation is awaited from the I.L.O. who will be the Executing Agency for the Project. In the meantime, preliminary steps have been taken regarding construction of buildings, purchase of local equipment, recruitment of staff etc. etc.

Textile Mill Owners

2963. Shri P. C. Borooah: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Textile Mill Owners have proposed to Government to build up a buffer stock of cotton; and

(b) if so, what is Government's decision on this proposal?

The Minister of Commerce (Shri Kanungo): (a) No specific proposal for creation of a buffer stock of cotton has been received from the textile mill owners.

(b) Does not arise.

T.A. and D.A. of Ministers

2964. Shri A. K. Gopalan: Will the Prime Minister be pleased to state:

(a) whether he has suggested to the members of his Cabinet to draw less D.A. and T.A. when they go to their constituencies for election campaign on the eve of election; and

(b) if so, the details thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). A note regarding the drawal of D.A. and T.A. on visits to home towns and constituencies was sent by the Prime Minister to all Central Ministers and

Deputy Ministers but it did not refer to visits for election campaign on the eve of elections.

Manufacture of Ploughs

2965. Shri Ajit Singh Sarhadi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether permission has been given to the Punjab Government to set up a factory in the Public Sector for the manufacture of 'walking' ploughs;

(b) if so, the total cost thereof; and

(c) the Government of India's contribution thereto?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir. No such scheme has been received in this Ministry.

(b) and (c). Do not arise.

Commonwealth Press Union Fellowship Scheme

2966. Shri Kalika Singh: Will the Prime Minister be pleased to state:

(a) the details of the Commonwealth Press Union Fellowship Scheme under which ten journalists of the Commonwealth Countries toured the United Kingdom for three weeks from May 18, 1961;

(b) the method by which a reporter of *The Statesman* was selected to represent India as a member of the Commonwealth; and

(c) the total expenditure of the tour and how the same was financed?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) A synopsis of the travel fellowship Scheme worked out by the Commonwealth Press Union is laid on the Table of the House. [See Appendix III, annexure No. 90]. The ten journalists toured the United Kingdom under this scheme for three weeks from May 18, 1961 onwards.

(b) In October every year the Commonwealth Press Union invites nominations from their overseas branches who are asked to recommend two names for the considera-

tion of the Council. On receipt of the nominations, the Training and Education Sub-Committee of the Press Union goes over the whole list and recommends the name of one journalist from each country for the year's delegation to the Council of the Press Union who are the final authority in the matter. In India the headquarters of the overseas branch of Commonwealth Press Union is located in Calcutta. The Editors of "The Statesman" and the "Amrita Bazar Patrika" are the joint honorary secretaries of the Indian branch. The name of a reporter of "The Statesman" was recommended by the Indian branch of Council of Press Union and this recommendation was accepted by the Council of the Union.

(c) The Government is not aware of the total expenditure of the tour as this was borne by the Council of the Press Union and not by the Government of India or any other Indian Organisation.

Indian Trade by Air

2967. Shri Kalika Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the position of Indian Trade by air in 1958, 1959 and 1960;

(b) the percentage of air-borne imports, exports, re-exports and trade to total imports, exports, re-exports and trade of India;

(c) what were the major groups of commodities imported and exported by air in 1958, 1959 and 1960; and

(d) the efforts made by Government to expand air-borne trade and the result thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (d). A statement is laid on the Table of the House. [See Appendix III, annexure No. 91].

Automatic Machine for Type Setting

2968. Shri Kalika Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the details of the automatic machine for type-setting in Hindi,

Urdu, Bengali, Marathi, Persian, Pushtu, Arab, Tamil, Telugu and other oriental non-hieroglyphic languages developed at a Leningrad Printing Machinery Plant;

(b) how the machine sets 45,000 letters in seven hours; and

(c) whether India proposes to set up such a printing machine plant and if so, the steps taken towards the same?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Enquiries made by Government show that three automatic machines are now being developed in a Leningrad Printing Machinery Plant, one of which is meant for setting and casting of type lines automatically from books and magazines, headlines, advertisements of a decorative nature and also texts in various languages with a large number of alphabet symbols. It is, however, understood that these machines are still in an experimental stage.

(c) Does not arise.

प्रलेखीय चलचित्र

१९६९. श्री म० ला० द्विवेदी: क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५९, १९६० और १९६१ में अब तक कितनी प्रलेखीय फिल्में बनाई गईं;

(ख) इस वर्ष ऐसी कितनी फिल्में बनाने का प्रस्ताव है;

(ग) उपरोक्त फिल्मों में से पंचवर्षीय योजनाओं के बारे में कितनी फिल्में हैं; और

(घ) जो फिल्में बनायी जायेंगी उनमें से कितनी पंचवर्षीय योजना के बारे में होंगी ?

रत्ना और प्रसारण मंत्री (डा० गक) : (क) और (ग).

बनाई गई योजना और उसकी साल फिल्मों उपलब्धि सम्बन्धी की संख्या विभिन्न विषयों पर बनाई गई फिल्मों की संख्या

१९५९	११२	२५ और ३५ के बीच में
१९६०	८७	२० और ३० के बीच में
१९६१	५९	१५ और २० के बीच में (जुलाई तक)

(ख) और (घ). १९६१-६२ में ९८ फिल्में बनाने का लक्ष्य है। इन में से ३५ और ४५ के बीच में योजना सम्बन्धी होंगी।

Electrical Goods

2970. Shri Jhulan Sinha: Will the Minister of Commerce and Industry be pleased to state:

(a) what percentage of our requirements of electrical goods are available from indigenous sources including the Heavy Electricals Limited, Bhopal; and

(b) how things stood in this respect at the beginning of the First Five Year Plan?

The Minister of Industry (Shri Manubhai Shah): (a) In so far as the heavy electrical equipment such as Generating plant, heavier sizes of transformers, motors, telecommunications equipment and special electric instruments and apparatus etc. are concerned, the entire requirement of these are being imported so far; the Heavy Electricals Ltd., Bhopal having commenced production only very recently. In respect of equipment such as transformers and motors of medium ranges, Copper conductors, ACSR, rubber and P.V.C. insulated cables and wires, Fans, Radios, dry batteries, storage batteries etc., the demand is by and large being met from indigenous production. The targets fixed for these industries for 1960-61 have more or less been realised. The

value of output of electrical goods at the end of 2nd Five Year Plan was of the order of 105 crores out of which goods worth Rs. 1.1 crores were exported and the import during the period amounted to Rs. 50 crores.

(b) The value of output at the beginning of the 1st Five Year Plan was about Rs. 19 crores and the import was Rs. 31 crores.

गोरखपुर मजदूर संगठन

२६७१. श्री म० ला० द्विवेदी: क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने गोरखपुर मजदूर संगठन को तोड़ने का निश्चय कर लिया है; और

(ख) यदि हाँ, तो उसके क्या कारण हैं ?

श्रम उपमंत्री (श्री आशिष शर्मा) :

(क) जी नहीं ।

(ख) सबाल पैदा नहीं होता ।

विदेश भेजे गये प्रशिक्षार्थी

२६७२. श्री म० ला० द्विवेदी: क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) अन्तर्राष्ट्रीय श्रम संगठन के विस्तृत सहायता कार्यक्रम, कोलम्बो योजना, चतुःसूत्री कार्यक्रम और यूनेस्को परियोजना के अधीन उनके मंत्रालय ने इस वर्ष अब तक कितने प्रशिक्षार्थियों को विदेशों में भेजा है; और

(ख) इन लोगों के चयन का कौन-सा तरीका अपनाया गया ?

श्रम उपमंत्री (श्री आशिष शर्मा) :

(क) २६ (अन्तर्राष्ट्रीय श्रम संगठन के विस्तृत सहायता कार्यक्रम—४, कोलम्बो योजना—१६, चतुःसूत्री कार्यक्रम—६) ।

(ख) केन्द्रीय तथा राज्य सरकारों एवं कर्मचारियों के संगठनों के अप्रशिक्षित संस्था के योग्य प्रतिनिधियों के नाम टेक्निकल सहायता देने वाली संस्थाओं को भेजे जाते हैं जो प्रशिक्षार्थियों का अंतिम चुनाव करती हैं ।

Import of Steel for Small Scale Industries

2973. Shri Ajit Singh Sarhadi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that State Trading Corporation has been given licences for the import of 40,000 tons of special kind of steel for Small Scale Industries; and

(b) if so, the allocation for Punjab out of this steel?

The Minister of Industry (Shri Manubhai Shah): (a) An import of 48,400 tons of steel in various categories which are in short supply has been arranged through the State Trading Corporation for distribution to Small Scale Industries exclusively.

(b) 3,786 tons.

Short Term Social Welfare Course

2974. Shri D. C. Sharma: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that some grant is given by the Government of India to the Indian Institute of Social Welfare and Business Management at Calcutta;

(b) if so, how much and what for;

(c) whether it is a fact that some Assistants etc. were sponsored for training in Short Term Social Welfare Course during the last few years;

(d) if so, how many;

(e) whether the practice of sponsoring those officers has recently been discontinued; and

(f) if so, the reasons for the same?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). An annual grant of Rs. 3,000 was hitherto being given for conducting an intensive course twice a year for training officers nominated by Government. This grant has been increased to Rs. 5,000 with effect from June, 1961.

(c) and (d). One during the last five years.

(e) and (f). Yes. The training provided has no relevance to the normal work of Assistants of the Secretariat Service.

Workers Rendered Jobless due to Closure of Mines

2975. Shri D. C. Sharma: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that a number of mines both in the public and private sectors have closed down during the last five years (1956—1960);

(b) if so, their number and the total number of workers so displaced;

(c) what steps were taken or proposed to be taken to re-employ those workers;

(d) whether it is a fact that in many cases the dues of the workers, so displaced, on account of outstanding wages, provident fund, retrenchment compensation, coal award, coal mines bonus etc. have not been paid;

(e) what is the total sum due;

(f) the reasons for non-payment of dues for so long; and

(g) what steps have been taken to ensure payments without further delay?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) to (g). The required information is being collected and will be laid on the Table of the Sabha in due course.

Slum Dwellers in Delhi

2976. Shri D. C. Sharma: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the Bharat Sewak Samaj in collaboration with other social organisations have conducted an economic survey of slum dwellers in Delhi;

(b) if so, what is the number of slum dwellers in all;

(c) how many of the slum dwellers are Government servants but are not provided with Government quarters; and

(d) whether there are any proposals to afford out-of-turn allotment of quarters in the case of those who are otherwise entitled to such allotments?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes. A socio-economic survey of the slum-dwellers of Old Delhi city was conducted by the Bharat Sevak Samaj in collaboration with other social organisations in 1956—58 and their findings are contained in the book entitled "Slums of Old Delhi" published in 1958.

(b) According to the survey, there were 48,500 families or over 2,25,000 persons living in 61 *bastees*, and 1728 *Katras* of Old Delhi.

(c) The sample survey of a few areas, conducted by the Samaj, revealed that about 1.94 per cent. of the slum dwellers were Central Government employees and another 0.58 per cent. were employees of Delhi Administration. These Government employees are living in slum areas either because they have not applied for Government accommodation or their turn has not yet come for allotment.

(d) Requests for out-of-turn allotment of Government accommodation are considered on the merits of each case. The suitability of the accommodation occupied by a Government servant is one of the factors taken into account in dealing with a request

from him for out-of-turn allotment of Government accommodation.

Polish Films

2977. { Shri Muhammed Elias:
Shri P. G. Deb:
Maharajkumar Vijaya
Ananda:

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the World famous Polish film "Ashes and Diamonds" has been banned for exhibition in India by the Censor Board; and

(b) if so, what is the reason for this ban?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). No Sir. The Polish film "Ashes and Diamonds" has been recently sanctioned for public exhibition. A wrong statement was issued by representatives of the producers while the film was still under consideration of the Censor Board.

रुई का मूल्य

२६७८. श्री रघुनाथ सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि गुजरात के कृषकों को जहां इस वर्ष १४॥ लाख गांठ रुई की पैदावार हुई है, रुई के भाव गिर जाने से कम से कम ८ करोड़ रुपये की हानि हुई है ?

वाणिज्य मंत्री (श्री कानूनगो): जी, नहीं। १९६०-६१ की फसल में भारतीय रुई के भाव पिछली फसल से कम रहे जबकि रुई की बहुत कमी थी। इसका प्रभाव न केवल गुजरात के ही किसानों की आमदनी पर पड़ा बल्कि शेष सारे भारत पर भी।

Hindustan Cables Ltd.

2979. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Hindustan Cables Ltd. is experiencing

difficulty in the procurement of material; and

(b) if so, the steps proposed to be taken to meet the situation?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). With the stepping up of production, the Hindustan Cables Ltd. is experiencing difficulty in the procurement of some raw materials due to inadequate supplies. Steps have already been taken to locate alternative/additional sources of supply.

टेलीविजन

२६८०. श्री नवल प्रभाकर : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली की विकास खण्ड समितियों ने कुछ विकास खण्ड पदाधिकारियों के कार्यालयों में टेलीविजन की व्यवस्था के बारे में शिकायत की है;

(ख) क्या यह सच है कि कुछ कार्यालयों में टेलीविजन नहीं लगाये गये हैं;

(ग) यदि हां, तो इस के क्या कारण हैं;

(घ) क्या सभी कार्यालयों को टेलीविजन सेट दिये जायेंगे; और

(ङ) यदि हां, तो कब तक ?

सूचना और प्रसारण मंत्री (डा० केशकर) : (क) जी, नहीं।

(ख) से (ङ). टेलीविजन सेट सरकारी कार्यालयों में लगाने के लिये नहीं हैं। वे प्रौढ़ शिक्षा योजना के अन्तर्गत दिल्ली में और उसके आसपास के सामुदायिक केन्द्रों में बनाई गई टेलीविजन क्लबों में बांटे गये हैं। टेलीविजन के माध्यम से कुछ विषयों को पढ़ाने की योजना के अनुसार टेलीविजन सेट कुछ उच्चतर माध्यमिक स्कूलों में भी लगाये गये हैं।

Per Capita Expenditure

2981. Dr. Samantsinhar: Will the Minister of Planning be pleased to state:

(a) the State-wise statement of per capita amount of expenditure provided in the Third Five Year Plan; and

(b) on what basis this amount is calculated?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). Provisions under a Five Year Plan have to be considered in relation to the State plans, plans of the Central Ministries and those falling within the private sector. It is not possible to estimate these in terms of per capita expenditure in different States or regions.

Hindustan Machine Tool Factory

2982. Shri Ajit Singh Sarhadi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that certain trainees have been sent for training by the Hindustan Machine Tool Factory to Japan in watch manufacture; and

(b) if so, whether they were selected from amongst the staff and employees of the Hindustan Machine Tool Factory or from outside?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Yes, Sir. Out of 51 trainees deputed to Japan, 43 were recruited from outside on an All India basis and 8 were selected from the staff of Hindustan Machine Tools Ltd.

Workcharged Staff of C.P.W.D.

2983. Shri Tangamani: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that liberalised pension rules have been made applicable on the workcharged staff of the Central P.W.D.;

(b) if so, whether option has been

asked for from the permanent work-charged staff; and

(c) if not, the reasons therefor?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) Yes.

(c) Does not arise.

Electric Connections in Quarters

2984. Shri Tangamani: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that all but 32 quarters in the 'C' Block of West Vinay Nagar have been provided with electric connections; and

(b) if so, the month and year when the electric connections were made in this block, and the reason for not giving supply of electricity so far to 32 quarters?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) Service connections in the other quarters in the 'C' Block of Netaji Nagar were given by the New Delhi Municipal Committee in 1958. On account of some misunderstanding, the New Delhi Municipal Committee did not provide connections in these 32 quarters. Service connections have now been given, and meters are now being installed.

Industries in Dandakaranya

2985. Shri Chintamani Panigrahi: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether there has been proposals for starting industries in the Dandakaranya area;

(b) if so, the industries proposed to be started in Dandakaranya area; and

(c) the amount of money invested or proposed to be invested in such industries?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) to (c). The attention of the Hon'ble Member is invited to the Progress Report regarding the Dandakaranya Project for the period from the 1st February, 1961 to the 30th June, 1961, which was circulated to the Members of the Sabha on the 17th August, 1961.

International Silk Congress

2986. Shri Kalika Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the benefits accruing or likely to accrue to India as a result of Indian participation in the International Silk Congress held in London; and

(b) what pieces of Indian silk or silk fabrics were exhibited in "2000 years of Silk" exhibition?

The Minister of Industry (Shri Manubhai Shah): (a) Exchange of information concerning research and latest developments in the sericulture industry.

(b) Government did not send any silk fabrics to the Congress for exhibition.

Survey of Ancillary Industries in Madras

2987. Shri Balakrishnan: Will the Minister of Commerce and Industry be pleased to state:

(a) whether a survey of the ancillary industries is going on in the Madras State; and

(b) if so, what are the items of ancillary industries which will be covered by the survey?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir. The National Council of Applied Economic Research has been entrusted with the survey of Ancillary Industries in the Madras State.

(b) The survey will cover the entire State in respect of the following 15

groups of industries:

- (1) Industrial Machinery.
- (2) Agricultural and Earth Moving Machinery.
- (3) Machine Tools.
- (4) Industrial, Scientific and Mathematical instruments (Mechanical).
- (5) Locomotives and Rolling stock, Ships and Air-crafts.
- (6) Bicycles.
- (7) Boilers and Steam Generating Plants.
- (8) Other Prime Movers—Steam Engines, turbines and International Combustion Engines.
- (9) Automobiles.
- (10) Commercial, Office and Household Equipment.
- (11). Electrical Machinery and Equipment.
- (12) Tele-communication Equipment.
- (13) Industrial Instruments (electrical).
- (14) Radios.
- (15) Air Conditioners and Cold Storage Equipment including Refrigerators.

Export of Iron Ore to Czechoslovakia

2988. Shri Chintamani Panigrahi: Will the Minister of Commerce and Industry be pleased to state:

(a) the total amount of iron ore agreed to be exported to Czechoslovakia in 1961; and

(b) the port from which this ore is proposed to be exported?

The Minister of Commerce (Shri Kanungo): (a) Approximately 9.60 lakh tons.

(b) Bombay, Calcutta, Vizag, Madras, Cochin, Karwar, Belekari, Mangalore, Redi, Coondapur and Honavar.

Prices of Cotton Textiles

2989. { Shri C. K. Bhattacharya:
 { Shri Tangamani:
 { Shri Kunhan:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the formula evolved by the then Commerce and Industry Minister for reducing the price of cotton textiles is being evaded by certain mills by making a change in the quality of production by reduction of picks and/or counts;

(b) whether it is a fact that Government have little hand in fixing the prices of these new varieties;

(c) whether Government have received any representation from any trade association about their difficulties in securing goods from the mills; and

(d) if so, whether Government have taken any action in the matter?

The Minister of Commerce (Shri Kanungo): (a) to (d). The approval of the Textile Commissioner has to be taken before a mill produces a new sort. The price of the new sort has also to be got approved. It will not, therefore, be correct to say that the formula for fixing the prices is being evaded. Representations from certain trade associations about the difficulties in securing goods have been received, but by and large it has been reported that textile goods are available at stamped prices. The situation is under Government's constant review.

Muslim Places of Worship in Calcutta

2990. Shri Indrajit Gupta: Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 682 on the 10th August, 1961 and state the number and location of the Muslim places of worship in Calcutta which have not yet been restored for their rightful use?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): 16 mosques, as per list given below:—

- (1) 1, Lalit Mitra Lane
- (2) 7.1, Bijay Bose Road
- (3) 3, Narkeldanga North Road (Lichu Bagan)
- (4) 16.1, Muraripukur Road
- (5) 12.1, Amritalal Mitra Lane
- (6) 7.1, Beliaghata Main Road
- (7) Azadgar Colony, 24-Parganas
- (8) 7, Chandranath Simlai Lane
- (9) 1, Kaizer Street
- (10) 110, Amherst Street
- (11) 8, Kalimuddin Lane
- (12) 93, Talpukur Road
- (13) 3, Simla Road
- (14) Ibrahimipore, Tollygunge
- (15) 6.1, Muraripukur Road
- (16) 11, Harish Neogi Road.

Slum Clearance

2991. Shri Tangamani: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether amount set apart for slum clearance during Second Plan has been spent in full; ,

(b) how much was allotted to Madras State and how much was spent; and

(c) how far has the proposal of Sen Committee regarding slum clearance in six cities been implemented?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) A sum of Rs. 20 crores was originally provided for slum clearance in the States in the Second Five Year Plan. This amount was, however, subsequently reduced as a result of the re-appraisal of the Plan resources to Rs. 12.99 crores of which Rs. 9.75 crores represented the Central assistance and the balance as the States' own contribution. The Gov-

ernment of India have released Rs. 7.60 crores as Central assistance during the period of the Second Plan. The corresponding contribution by the States should accordingly be a sum of about Rs. 2.54 crores.

(b) A sum of Rs. 168 lakhs was allotted to the Madras Government for slum clearance during the 2nd plan period of which Rs. 126 lakhs represented Central assistance and the balance as the State's own contribution. The Central assistance drawn by the State Government during this period was Rs. 94.65 lakhs. The corresponding contribution by the State Government should be Rs. 31.55 lakhs.

(c) The recommendations made by the Advisory Committee on Slum Clearance in respect of the 6 cities were accepted as follows:—

- (i) The State Governments etc. were advised to intensify slum clearance operations in the six cities.
- (ii) The States in which the five major cities (excluding Delhi) are located were authorised to sanction further slum clearance improvement projects upto an amount of Rs. 5 crores provided the actual expenditure did not exceed their Second Plan allocations under the Slum Clearance Scheme. Ad hoc allocations were made to the Municipal Corporation of Delhi for taking up slum clearance/improvement work in Delhi.
- (iii) The Central share of subsidy was enhanced in these 6 cities from 25 per cent to 37½ per cent of the approved cost.

Class IV Staff Quarters on Panchkuin Road, New Delhi

2992. Shri Balraj Madhok: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that Block 80 of Panchkuin Road, New Delhi quarters which falls in the Corporation area is being given electricity while it has not been given to other class IV quarters of the same area falling under the New Delhi Municipal Committee's jurisdiction in spite of repeated representations of the residents of these quarters; and

(b) what steps do Government contemplate to take to meet this demand?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The policy of Government is to electrify all quarters meant for class IV staff except those which are due for demolition, being beyond economic repair. The class IV quarters on Panchkuin Road, except those in block No. 80, are earmarked for demolition in the first phase of development of the DIZ area and are, therefore, not proposed to be electrified. As the quarters in block No. 80 are not due for demolition in the first phase, electricity is being provided in the class IV quarters in this block.

Rent for Government Quarters

2993. Shri Balraj Madhok: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the benefit of higher house rent allowance accruing from Delhi's elevation to the status of 'A' class city has been nullified for the low paid Government servants because of the higher rent to be charged from them for their same old quarters; and

(b) whether Government propose to consider giving rent free quarters to Class IV employees at least so that they may have some real benefit from Delhi becoming 'A' class city?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) No. Government ser-

vants who have been allotted Government accommodation are not entitled to any house rent allowance. The allottees of Government residences have to pay rent at the rate of 10 per cent of their emoluments (7½ per cent in the case of those drawing less than Rs. 150 per month) but not exceeding the standard rent under F.R. 45-A. The declaration of Delhi as an 'A' class city has not resulted in any change in the principle regarding recovery of rent.

(b) No. The declaration of Delhi as 'A' class city has no bearing on the question of the grant of rent-free concession.

Watch Manufacture

2994. **Shri Ajit Singh Sarhadi:** Will the Minister of Commerce and Industry be pleased to state:

(a) what is the percentage of components imported in watch manufacturing at the Hindustan Machine Tools Ltd., with the Japanese collaboration; and

(b) what is the schedule when it is expected that there will be no import of components?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). At present watches are assembled in the Hindustan Machine Tools Ltd., from imported components. Indigenous production will start according to the phased programme and more than 90 per cent of the components will be manufactured indigenously during a period of four years.

Industrial Training Institute at Imphal

2995. **Shri L. Achaw Singh:** Will the Minister of Labour and Employment be pleased to state:

(a) whether the Industrial Training Institute at Imphal has constructed its own building;

(b) whether it has recruited its own staff; and

(c) the number of trainees undergoing training at present?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) The building is under construction by Central Public Works Department.

(b) The information is not available.

(c) 99 at the end of July, 1961.

P.M.'s Visit Abroad

2996. **Shri Tangamani:** Will the Prime Minister be pleased to state:

(a) whether the programme in regard to his visit to various countries after attending the Neutral Summit Conference at Belgrade in September, 1961 has been finalised;

(b) if so, the details of the same;

(c) whether there is any proposal for the meeting of Commonwealth statesmen during this visit; and

(d) if so, the venue and date?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). After attending the Belgrade Conference, which commences on the 1st September and is expected to continue till the 5th September, the Prime Minister will visit the Soviet Union, at the invitation of Mr. Khrushchev, from September 6, for three or four days.

(c) and (d). No, Sir.

All India Radio

2997. **Shri Tangamani:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the expenditure incurred by the All India Radio during the year 1960-61 has shown increase as compared to the two previous years;

(b) if so, the increase in Programme, General Supervision and other branches including Technical,

Engineering and Development projects;

(c) what is the total amount spent under each category; and

(d) what is the estimated increase during current year as a result of upgrading of Delhi as 'A' for the purpose of house rent and compensatory allowances?

The Minister of Information and Broadcasting (Dr. Keskar): (a) No, Sir.

(b) Does not arise.

(c)—

	1960-61 (Latest figures available) (Rs. in lakhs)
(i) Programmes.	313.29
(ii) General Supervision	30.78
(iii) Other Branches (including Technical, Engineering and Development Projects)	238.88
TOTAL:	582.95
(d)—	Rs.
(i) House rent Allowance	86,931
(ii) City Compensatory Allowance	2,38,296
Total:	3,25,227

Khas Kajora Collieries, West Bengal

2998. Shri Tangamani: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that South Indian workers employed in Khas Kajora Collieries in West Bengal are subjected to ill treatment and harassment by management;

(b) whether on the 27th July, 1961 they were assaulted by employers' men while attending conciliation; and

(c) what steps are being taken to protect the interests of these workers who are away from their States and are handicapped through lack of knowledge of language?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) No.

(c) Does not arise. However, it may be stated that their interests are protected by Government in the same way as those of the other workers.

Central Information Service ..

2999. Sardar A. S. Saigal: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that prior to the formation of Central Information Service, recruitment to Grade IV (Pay Rs. 200-400) was being made by his Ministry;

(b) whether it is a fact that to provide initial cadre for service, a Committee consisting of a Member of the Union Public Service Commission and representatives of the Ministry was appointed to judge the suitability of the staff for each cadre of service from among the existing staff including the one referred to in part (a);

(c) whether it is also a fact that according to the rules of Central Information Service, 50 and 75 per cent of the posts in Grade II (Pay Rs. 350-850) and Grade I (Pay Rs. 600-1150) respectively, are to be filled by selection based on the recommendation of the Departmental Promotion Committee from among the existing staff; ,

(d) whether it is a fact that from now onwards the posts of Assistant Editors and Editors in Publication Division will be filled according to the rules of Central Information Service; and

(e) when the first examination to provide staff for the Central Information Service was conducted by the Union Public Service Commission and when the final result of the same is expected to be announced?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Prior to the formation of the Central Information Service, Grade IV did not exist.

(b) The Union Public Service Commission constituted four Selection Committees with a member of the Commission as President and not more than three representatives of the Ministry of Information and Broadcasting as members, to determine the suitability of departmental candidates for appointment to the different grades and to prepare an order of preference for each grade at the initial constitution of the Service.

(c) and (d). Yes, Sir.

(e) Presumably, the reference is to the written test conducted by the Union Public Service Commission for recruitment to the initial constitution vacancies in Grade II of the Central Information Service in April 1961. The recommendations of the Commission have not yet been received.

Pay Scales of Scientists

3000. Shri Surendranath Dwivedy: Will the Prime Minister be pleased to state:

(a) whether the recommendations of the Pay Commission have been implemented in regard to the pay scales of the scientific personnel working under the Atomic Energy Commission;

(b) if so, when they were given effect to; and

(c) what is the difference in terms of amount of money that a Geologist or an Assistant Geologist is getting now as compared to his previous emoluments?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The Pay Commission did not make any detailed recommendations in respect of the scientific posts in the Department of Atomic Energy, which is engaged on work of highly specialised character. The Pay Commission had suggested that Government may fix appropriate scales of pay in the light of their recommendations made for scientific

posts generally. The fixation of the revised scales is under the active consideration of the Department and orders in this regard will issue fairly soon.

(b) and (c). Do not arise.

Retirement Benefits for Rubber Board Employees

3003. Shri Maniyangadan: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 3780 on the 24th April, 1961 and state:

(a) whether the Rubber Board has made any recommendation to Government regarding grant of pension and gratuity to the employees of the Board; and

(b) if so, what decision has been taken?

The Minister of Commerce (Shri Kanungo): (a) and (b). The Board is still working out the details of the scheme.

Fall in the Prices of Cashew Nuts

**3004. { Shri K. P. Sinha:
Shri Achar:**

Will the Minister of Commerce and Industry be pleased to state the reasons that led to the fall in cashew nut prices and the steps that Government are going to take in order to arrest this fall?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): The recent decline in prices can be attributed to slackness in foreign demand. Moreover, the prices of cashewnuts are subject to seasonal variations. Honorary Export Promotion Adviser at Cochin and the Chairman, Cashew Export Promotion Council have been asked to further investigate the reasons.

Export of Coir Goods

3005. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to state:

(a) whether there has been a fall in the export of coir goods;

(b) if so, the reasons for the same;

(c) the figures during the current year so far as compared to the year 1960; and

(d) the steps taken or proposed to be taken in the matter?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The reasons for fall in exports are as follows:—

(i) There is competition in the market from other hard fibres like sisal.

(ii) Owing to improvement in the standard of living in the Western Countries, people are showing a preference for better types floor coverings and there seems to be a distinct prejudice against coir floor coverings as such.

(c) In the calendar year 1960, 14.06 lakhs cwts. of coir and coir products valued at Rs. 8.54 crores were exported. For the period January-June 1961, 6.61 lakhs cwts. valued at Rs. 4.41 crores were exported showing thereby that the export position is not alarming.

(d) In addition to the steps already taken, like participation in fairs and exhibitions, dissemination of publicity literature, display in Government show-rooms, market surveys and grant of incentives, it is proposed to introduce improved type of coir spinning machines, mechanization of the matting manufacturing sector and also a scheme of enrolment of exporters with a view to build up healthy and lasting trade relationship between Indian exporters and foreign importers.

Indian Tea for Amsterdam Auction

3006. Shri P. C. Borooah: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Netherlands broking interests have requested India to send Indian Tea to the Amsterdam auction; and

(b) if so, what is the reaction of Government thereto?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Yes, Sir.

(b) The producers or shippers have not evinced interest in the proposal.

Working Group on Tea

3007. Shri P. C. Borooah: Will the Minister of Commerce and Industry be pleased to state:

(a) what are the main recommendations of the Working Group on tea appointed in 1959; and

(b) what action Government have taken to implement the same?

The Minister of Commerce (Shri Kanungo): (a) and (b). The Working Group, in its report on Tea, has suggested a production target of 900 mn. lbs. and an export target of 610 mn. lbs. at the end of the Third Plan period and has made a number of recommendations for realising these targets. The recommendations of the Working Group have been examined in consultation with the Planning Commission and the following decisions have generally been arrived at:

(1) The targets laid down for production and export have been considered adequate.

(2) Only loans should be provided for new plantings as also replanting and these loans should be routed through the Board, if convenient.

(3) Foreign exchange for the import of fertilizers should be made available. There need not be a separate allotment for foreign exchange for the purpose but the Ministries concerned should give the needs for tea the highest priority.

(4) There need not be any programme for tea packaging

factory in the public sector but co-operatives should be assisted and encouraged.

Such action as is necessary for implementing these decisions has been/is being taken.

Employees' State Insurance Scheme

3008. **Shri Hem Barua:** Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that a certain Member of Parliament has brought out charges of corruption and irregularities in the working of the Employees' State Insurance Scheme in the Delhi Administration;

(b) if so, what are those charges; and

(c) what steps have been taken so far to ascertain the truth of the charges?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) Yes.

(b) The main charges are excessive expenditure, mis-appropriation of stores, irregular purchases and appointments, and preparation of unnecessary special indents for the provision of medical care by certain officials in charge of Medical administration.

(c) Certain enquiries have been made. The matter is under the consideration of the Delhi Administration.

12-10 hrs.

MOTION OF NO-CONFIDENCE

Mr. Speaker: I have received notice of a no-confidence motion from Shri Braj Raj Singh:

"Under Rule 198 of the Rules of Procedure and Conduct of Business I move a non-confidence motion against the Cabinet of Shri Jawaharlal Nehru." (Interruptions).

Order, order. With respect to no-confidence motions no grounds need be set out. It is only a censure motion that requires the grounds. If the motion is allowed by the House to be taken on a particular day I shall fix it. At that stage the hon. Member can develop all his arguments, not only what he has stated here. Now, may I know if there are 50 Members to rise in their seats to support this? (Interruptions).

Shri Braj Raj Singh: (Firozabad) rose—

Mr. Speaker: The rule is this:

"A motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely:—

(a) leave to make the motion shall be asked for after questions and before the list of business for the day is entered upon;"

The Question Hour is over. He has tabled the motion and I have brought it up now.

"The member asking for leave shall, before the commencement of the sitting for that day, give to the Secretary a written notice of the motion which he proposes to move."

I have got the motion before me. He gave it to the Secretary.

"If the Speaker is of opinion that the motion is in order, he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places."

I have read the motion to the House. So far as the grounds and other things are concerned, they do not form part of the motion. Nobody need give any reasons. If the majority do not want the Government, they can send away the Ministry. So, at the time of developing the arguments, at the time of making the motion when it is brought

[Mr. Speaker]

up here, the hon. Member can develop his arguments. Therefore, the simple question is, are there 50 members here to rise in their places?

Shri Braj Raj Singh: May I make a submission, Sir?

Mr. Speaker: I am not going to allow it. Order, order. It is not for the hon. Member to read; it is for the Speaker to read. Are there 50 members to rise in their seats? No.

Shri P. N. Singh (Chandauli): Sir, on a point of order.

Shri Braj Raj Singh: I am submitting something about the interpretation of the rule. You have said 50 persons have not risen in their seats.

I have great respect for you. But am I not entitled to ask from you what is the form in which it has to be made? You have not prescribed any form in these Rules of Procedure nor in the Constitution nor anywhere else. When it is not provided as to what shall be the form of a no-confidence motion, we have to fall back on the practice of the House of Commons. There the procedure is that the grounds are given. The grounds for want of confidence are given in the motion itself. That is why I have given these grounds. Unless the grounds are read over to the House, how can the members decide whether they should be in favour of it or against it? That is my point—because you have not provided the form anywhere in the rules.

Mr. Speaker: Yes; I will come to it. But, what is the point of order of the other hon. Member?

श्री प्र० ना० सिंह : (बन्दीली) : श्रीमान्, मेरा व्यवस्था का प्रश्न यह है कि जो सबस्टेंशियल मोशन के साथ प्राउन्ड्स दिये गये हैं उनको हाउस में पढ़ा जाना चाहिये ।

अध्यक्ष महोदय : आपने इस पर दस्तखत किया है ?

श्री प्र० ना० सिंह : दस्तखत का सवाल नहीं है, चूँकि यह सवाल सदन के सामने उपस्थित है, इसलिय मैं अपनी बात कह सकता हूँ । जहाँ कहीं अविश्वास के प्रस्ताव आते हैं उनको लाने के दो तरीके हैं । एक तरीका तो यह होता है कि केवल सेंसर मोशन दे दिया गया और दूसरा तरीका यह है कि उसके प्राउन्ड्स भी दे दिये गये । अपने यहाँ कोई इस तरह का नियम नहीं है कि उसका क्या आर्डर होगा । कुछ नहीं कहा गया है कि प्राउन्ड्स दिये जायें या नहीं । लेकिन हाउस आफ कॉमन्स में श्री एटली ने चर्चिल की इकूमत के खिलाफ सन् १९५२ और १९५३ में जो नो कॉन्फिडेंस मोशन रखा था उस प्रस्ताव में उन्होंने कहा था :

“That this House regrets that Her Majesty's Government is dealing with the Business of the House incompetently, unfairly and in defiance of the best principles of Parliamentary democracy and the national interest, and records the view that this is in part brought about by the efforts of Ministers to force through measures, unrelated to the needs of the nation, for which they have no adequate support in Parliament or the country.”

इसी तरह सन् १९४५ और १९४६ में नेबर गवर्नमेंट के खिलाफ मॉशन या वोट आफ नो-कॉन्फिडेंस आया था उसमें ये प्राउन्ड्स दिये गये थे

“That this House regrets that His Majesty's Government are neglecting their first duty, namely, to concentrate with full energy upon the most urgent and essential tasks of the re-conversion of our industries from war-time production to that of peace, the provision of houses, the speedy release of men and women from the Forces to industry, and the drastic curtailment of our swollen national expenditure and deplores

the pre-occupation of His Majesty's Ministers, impelled by Socialist theory, with the formulation of long-term schemes for nationalisation, creating uncertainty over the whole field of industrial and economic activity, in direct opposition to the best interest of the nation, which demands food, work and homes."

मेरा प्वाइंट ऑफ ऑर्डर यह है कि मॉशन में जो ग्राउन्ड्स दिये हुये हैं उनको चेंबर को अपनी तरफ से खत्म करने का कोई भी क्लेम में विधान में नहीं दिया हुआ है। मेरा प्वाइंट ऑफ ऑर्डर यह है कि जिस तरीके से मॉशन रखा गया है उस पूरे मॉशन को और उसके ग्राउन्ड्स को पढ़ा जाये। पार्लिसीज के आधार पर हम मौजूदा सरकार को संभर करना चाहते हैं पूरे मॉशन को पढ़ा जाये ताकि हाउस के सामने सारी बातें आ सकें और लोगों को ५० की संख्या में हाउस में उठने में सहूलियत हो।

Mr. Speaker: A point of order has been raised that grounds for the motion of no-confidence can be given and they have to be read out to the House. I have divided it into two portions.

At this stage, we will assume there are not 50 members to rise in their seats. *[Prima facie]* at least 50 members must have no confidence in the Government; that is, the number required to form a quorum. If 50 members do not rise and a single member gets up and reads all the charges—fortunately he has put only 3 clauses here—and ultimately there is not even one other member to rise in his seat to support him, am I to allow all this when there is no opportunity for others to state anything against it? The impression will be brought about that only there are not others not supporting for various reasons but the grounds are there. They are read out *ex parte* without any opportunity for anybody to refute it. Therefore, in the House of Commons they have made a distinction. That distinction has not

been read out. The distinction is between a censure motion and a no-confidence motion. The Government can be censured for various reasons. The Government need not be censured but can be kept out of office if the majority do not want them.

We are aware of cases where members of one group have changed over to another group after the Parliament meets. Originally the Government party might have been in a majority. Subsequently, some members are taken over to the other side and the Opposition convince them that they are just. Therefore, if the majority is in favour of the Opposition, am I to say, 'You have not given the reasons; therefore you are out of court?' The point is, can I insist upon the reasons being given?

An Hon. Member: No, Sir.

Mr. Speaker: I cannot insist upon the reasons being given. You must judge it from both sides. Can I insist upon the reasons being given for the purpose of admitting a no-confidence motion? *(Interruptions).* Order, order. The giving of reasons is not a condition precedent to the admission of a motion. If it is said that I cannot insist upon the grounds being given for the motion being introduced in the House, can it be said, whether it is necessary or not, if they are given they must be read out to the House? The only point is, if I am not entitled to insist upon the grounds being given, merely because a member has given the grounds should I read them, when there is no opportunity for others to refute it?

Shri Ranga (Tenali): Before you give your ruling, Sir, may I make one or two submissions? I do not differ from what you have been pleased to say so far. But the difficulty in our House is that we do not have one party in Opposition. We have a number of groups. We are all different political parties. One particular party has decided to give notice of this

[Shri Ranga]

motion. You are expected also to ask whether there are 50 members in support of the motion before you can possibly give permission to get it discussed at all. We are being embarrassed in this manner that we do not know the grounds. After all we are in Opposition because we do not have faith and confidence in the Ministry.

Shri Tyagi (Dehra Dun): What?

Shri Ranga: Yes, that is so. But that is different matter. But that does not mean that we should move a vote of no confidence every day.

Mr. Speaker: We are straying away from the point.

Shri Ranga: I must know the reasons for which he wants to move this vote of no-confidence before I can decide whether I should agree with him or the House should agree with him.

Mr. Speaker: I have heard the point of order.... (*Interruptions*).

Shri S. M. Banerjee (Kanpur): You have not answered the point of order.

Mr. Speaker: Order, order. I will have to take exceptional remedies against this hon. Member. I am trying to dispose of the point of order and it is not for him to say that I have not given reasons.

Shri S. M. Banerjee: You have not heard me.

Mr. Speaker: I am not going to hear him; I have heard one hon. Member who raised the point of order. I have allowed the leader of another group. It is wrong to say that after coming here for the first time I should allow him to make a motion so that the hon. Members may know the charges. Shall I allow them sometime to go into the Lobby so that they may say to each other: you must support my no-confidence motion? He must make sure

that he has got fifty Members with him. It is not a matter for canvassing here; he must canvass outside and convince a number of people so that he has at least fifty Members with him. Has he got fifty hon. Members to support him?... (*Interruptions*). Will he allow me to speak or not?... (*Interruptions*).

An Hon. Member: We will allow.

Mr. Speaker: Order, order, I resent very much this kind of childishness. Hon. Members must consider the dignity of the House; they detract from it; they detract from their own dignity. They bring down the prestige of the House. It is unfortunate. The point has been raised and I am bound to answer it and dispose of this matter. The point is whether the grounds ought to be allowed to be read here.

Shri P. N. Singh: Grounds are given.

Mr. Speaker: I am not going to read them out.

Shri H. N. Mukerjee (Calcutta—Central): May I make a submission, Sir?

Mr. Speaker: How many persons should I allow? The point of order was made and as soon as it was raised Shri Ranga stood up and I allowed him. If Shri Mukerjee wanted to say something, he could have stood up then and I would have allowed him. I am now giving my ruling. No-confidence motions are to be distinguished from censure motions. He may move a censure motion giving reasons to convert the House to his viewpoint. So far as no-confidence motions are concerned, the position is different. Article 75 says that the Council of Ministers shall be collectively responsible to the House of the People. Rule 198 had been framed under it. It says that a motion expressing want of confidence in the Council of Ministers may be made subject to certain restric-

tions. The Speaker should be of the opinion that the motion is in order and it should satisfy all the other conditions that have been set out. We will assume that Shri Braj Raj Singh did not give any of those grounds, even then I am bound to bring it up here and it is enough if he says that there are fifty hon. Members who will get up. So, it is for him to influence all the other hon. Members so that the motion of no-confidence may be admitted. So, it cannot be rejected for want of any ground being set out.

The other question is this. When the grounds are set out, should I read those grounds here? If I do, then, the position would be that even if leave is not granted, the grounds will stand and the other side will have no opportunity to meet those charges. I find that this would be an injustice done to the other side.

Shri P. N. Singh: There is no provision for moving a censure motion here in our rules.

Mr. Speaker: Are fifty hon. Members standing in their seats? No. Leave is not granted.

Papers to be laid on the Table. Shri Kanungo.... (*Interruptions*).

PAPERS LAID ON THE TABLE

REPORT OF THE INDIAN DELEGATION TO THE 18TH SESSION OF CONTRACTING PARTIES TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Minister of Commerce (Shri Kanungo): Sir, I beg to lay on the Table a copy of the Report of the Indian Delegation to the 18th Session of Contracting Parties to the General Agreement on Tariffs and Trade held in Geneva from May 15 to 19, 1961. [Placed in Library. See No. LT-3181/61].

MOTION OF NO-CONFIDENCE— Contd.

Shri Braj Raj Singh (Ferozabad): Unfortunately, there is no mention of censure motion in our Rules.

Mr. Speaker: I will not allow it to be taken up if hon. Member has not got fifty members to rise in their seats. How many are there? There are only five. The motion is rejected.

Shri Ranga (Tenali): We are not able to understand what is going on, Sir (*Interruptions*).

Shri Braj Raj Singh: This is not the procedure, Sir.

Mr. Speaker: Order, order. I will have to ask the hon. Members either to resume their seats and not indulge in this sort of interruption. (*Interruptions*). Order, order. I have given a ruling.

Shri Braj Raj Singh: You have not decided about the form.

Mr. Speaker: I have ruled that so far as no-confidence motion is concerned, whatever grounds might be given, only that portion which reads: "That this House has no confidence in the Government headed by so and so...." that alone will be read by the Speaker of the House. After leave is granted, no confidence motion can be moved and all the grounds can be urged. Otherwise, it will be a gross injustice to the other side who have no opportunity.... (*Interruptions*). I have decided; I am not going to allow it.

Shri Ranga: Sir, our position in the Opposition becomes absolutely untenable. I do not happen to belong to that Party; they have given notice of this. Nobody told me for what reasons they want to move it. Should I not be in a position to know whether I should agree to give leave to it so that it may be discussed or not and whether I should get up in support of that motion or not? You have not given us any opportunity. What is the use?

Shri H. N. Mukerjee: Sir, fifty of us have to make up our minds as to whether we should stand in our places in support of the no-confidence motion or not. Unless we hear something in regard to the grounds set out in the motion, it is not possible physically and mentally to make up our minds. As it has happened, suddenly for some reasons—I do not know what motivates my hon. friend Shri Braj Raj Singh—they have thought it fit to bring forward this motion. There has not been time to meet them in the Lobby... (*Interruptions*). I beg of you to remember that, in spite of our divisions and weaknesses, it is to you that we in the opposition look in order to uphold whatever rights that we have (*Interruptions*). They may laugh but we have to function in a difficult environment and face the hostility of people who are massed against us, sometimes even without reason... (*Interruptions*). It is with all humility and a due sense of duty which we owe to you and to the House that I am making my submission that the Opposition, especially at the far end of this Parliament, should not get the impression that if it is trying to agitate a particular matter, on a technical ground, it is being ruled out. As far as my Group is concerned, we have not got an inkling as to the grounds on which Shri Braj Raj Singh is moving this motion. If he says something very tangible, very objective and very cogent, then it is very conceivable that Shri Ranga and I and others on this side may rise in support of that motion... (*Interruptions*) but before listening to the remarks, it is impossible for us to make up our minds. That is why you should allow the grounds to be conveyed to us so that we can make up our minds.

Shri Tyagi: May I submit a few words, Sir? After all, you are the guardian of the procedures of this House. You are to see that the Parliament works properly and in a dignified manner. There is no doubt about it. I may say that I, as a member of this party, am not afraid of any charges which may be read out. But the ques-

tion is, this thing may become a routine affair—one Member sending hundreds of charges every day and they would be read and then, you will ask those hon. Members who may be supporting the motion to stand, and so on. Now, you, Sir, have rightly asked hon. Members to stand. We saw only one Member standing!

श्री रामसेवक बाबब (बाराबंकी) :
श्रीमान, मैं एक व्यवस्था का प्रश्न उपस्थित करना चाहता हूँ।

Mr. Speaker: Order, order. Let the hon. Member continue.

Shri Tyagi: Therefore, with all humility, I think we must be fair to give my hon. friends on the opposite side the best chance of coming out with any charges against us. We are prepared to face them boldly and if we cannot face them, we have no business to be on this side. There is no question of hiding anything from the nation. Let the country know what the charges are. Let the country also know what our defence about the charges is. You have rightly said that if this becomes a routine, then any Member can send hundreds of charges every day, and they are to be read out as in the case of an Adjournment Motion. Therefore, my submission to the Opposition is, let us establish a convention: whenever there is a no-confidence motion, let them go into the lobby. Let all the Opposition Parties come together and consult together and come out with some charges. Then they may be read if there are 50 Members in support of them. Therefore, you are right, may I humbly submit, in what you said.

श्री रामसेवक बाबब : मैं श्री त्यागी को यह बताना चाहता हूँ कि इस सम्बन्ध में नियम यह है कि यदि एक बार नान-कान्फिडेंस मोशन गिर जाये, तो उसी सेशन में दूसरी बार कोई और नान-कान्फिडेंस मोशन नहीं रखा जा सकता है।

Mr. Speaker: Order, order. I am not going to allow any discussion on the ruling that I have given. This is a very important matter. I have considered the ruling and have considered the grounds. Though I have given my ruling, I once again heard Shri Ranga, the leader of one group and Shri H. N. Mukerjee who is speaking on behalf of the Communist Party. The grounds are these. Shri H. N. Mukerjee said that if he hears what Shri Braj Raj Singh has put into the motion, then he will be in a position to make out whether he should stand in support of it or not.

An Hon. Member: Permission.

Mr. Speaker: Permission at this stage. They may support it at this stage, but later on they may not support it. Some hon. Members may be rightly under the impression that leave may be granted, whatever might be the result of the motion ultimately, whether it is carried or not. I am not attributing any motives to them. At this stage, Shri Mukerjee's argument is that he will be denied the opportunity to know whether leave should be granted or not, and therefore he says, "We must hear the charges". Normally, has the other side an opportunity to refute, if I allow the charges to be read? *(Interruption.)* Order, order. Shri H. N. Mukerjee wants to come to a conclusion merely because an hon. Member puts down certain charges: he won't have the opportunity to hear the other side refute them. This argument has no legs to stand upon for this reason: merely because some charges are made, and on account of those charges only if they are set out in the motion of the mover, he comes to a conclusion without hearing the other side. Is it just? Is it possible now for me to give the other side an opportunity? Is there a provision for it at this stage? No. *(Interruptions.)* Order, order. That means, even without leave being granted and fifty Members rising in their seats, I allow an argument here and an argument there, and ultimately it becomes a regular motion that is admitted even without leave being

granted. Hon. Members do not follow that we have to create precedents for the future. *(Shri Braj Raj Singh: There must be precedents created.)* Yes; that is exactly what I am saying.

So far as a motion of no-confidence is concerned, it is not obligatory for the mover to set out the grounds: it is clear. Shri Braj Raj Singh would not be out of court if the grounds are not set out. He can merely come here with a motion of no-confidence and it is not open to Shri H. N. Mukerjee to ask him, "Mr. Braj Raj Singh, what are your grounds?" He may ask him separately. If Shri Braj Raj Singh has got fifty Members by his side, it is not open to any hon. Member of this House to say that leave ought not to be granted. If Shri Braj Raj Singh has got fifty Members by his side, he can merely say, "Under the Constitution and the rules, I have got the right to take the motion; I have got fifty members by my side. Shri H. N. Mukerjee or any other Member may be quite in the dark as to the grounds, but I have got fifty Members by my side and you must give me leave." I am bound to give leave. Therefore, it is not for the purpose of convincing. When Shri Braj Raj Singh has got the right to bring fifty Members on his side already, and when he is not bound to give the reasons at this stage, in spite of the arguments of Shri H. N. Mukerjee and Shri Ranga, I am bound—this House is bound—to accept it, and fix a date within ten days in case leave is granted. I am asking hon. Members to read it the other way.

Shri Braj Raj Singh never wanted the support of Shri H. N. Mukerjee; he does not want the support of the other hon. Members here. Otherwise, he would have canvassed them separately and then come to this House. My ruling is correct; in the circumstances, it will stand for all time.

Shri Braj Raj Singh: As a protest against your ruling, which will establish a very bad practice for the future, we walk out from the House.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Go for ever.

(Savashri Braj Raj Singh, Arjun Singh Bhadauria, Jadish Awasthi, Ram Sewak Yadhav, L. Achaw Singh and P. N. Singh then left the House.)

Shri Tyagi : I request that it may be noted that only six Members were in support of it and walked out.

Mr. Speaker: The record will show it.

12-38 hrs.

EXPUNCTION

Raja Mahendra Pratap (Mathura): I want to leave the House for another reason. You did not allow my adjournment motion. I wanted to save the life of Master Tara Singh, and I want to say this, and I am walking out.

Mr. Speaker: Order, order. I will have to proceed against the hon. Member for contempt for having said that! He says he wants to save the life of Master Tara Singh, and, if after a debate for two days in this House on this matter, I do not allow his adjournment motion, he says I will have to take contempt proceedings against him unless he tenders an unconditional apology to me.

Raja Mahendra Pratap: Sixteen days have passed and he has become much weaker in the last two days.

You did not allow my adjournment motion. So, as a protest, I am walking out.

Mr. Speaker: He may leave the House, if he so likes.

(Raja Mahendra Pratap then left the House.)

Some Hon. Members rose—

Mr. Speaker: Order, order. I do not want to proceed further on account of his age.

Shri Ansar Harvani (Fatehpur): The words ** ** may be expunged.

Shri D. C. Sharma: Yes, Sir.

Mr. Speaker: The words ** ** will be expunged. I thought he will himself honourably withdraw them.

12.39 hrs.

PAPERS LAID ON THE TABLE

(Raja Mahendra Pratap then left the ANNUAL REPORT OF HINDUSTAN MACHINE TOOLS, LTD., REVIEW OF GOVERNMENT THEREON, AND STATEMENT RE. INVENTIONS PROMOTION BOARD

The Minister of Industry (Shri Manubhai Shah): I beg to lay on the Table a copy each of the following papers:

- (i) Annual Report of the Hindustan Machine Tools Limited for the year 1960-61 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under subsection (1) of section 619 of the Companies Act, 1956.
- (ii) Review by the Government of the working of the above Company. [Placed in Library. See No. LT-3175/61]
- (iii) A statement showing the amount of aid sanctioned and disbursed during the financial years 1960-61 and 1961-62 by the Inventions Promotion Board. [Placed in Library. See No. LT-3180/61]

EMPLOYEES' PROVIDENT FUND SCHEME

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table a copy of the Employees' Provident Funds (Sixth Amendment) Scheme, 1961, published in Notifica-

**Expunged, as ordered by the Chair.

cation No. G.S.R. 1033 dated the 12th August, 1961 under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952. [Placed in Library. See No. LT-3179/61]

COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

TWENTY-FIFTH REPORT

Shri Mulchand Dube (Farrukhabad): Sir, I beg to present the twenty-fifth Report of the Committee on Absence of Members from the Sittings of the House. I also lay on the Table a copy of the Statement showing names of Members who were continuously absent from the sittings of the House for 15 days or more from the 1st April to the 5th May, 1961, during the Thirteenth Session.

DEPOSIT INSURANCE CORPORATION BILL*

The Minister of Finance (Shri Morarji Desai): I beg to move for leave to introduce a Bill to provide for the establishment of a corporation for the purpose of insurance of deposits and for other matters connected therewith or incidental thereto.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the establishment of a corporation for the purpose of insurance of deposits and for the other matters connected therewith or incidental thereto."

The motion was adopted.

Shri Morarji Desai: I introduce the Bill.

APPROPRIATION (No. 4) BILL*

The Minister of Finance (Shri Morarji Desai): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1961-62.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1961-62".

The motion was adopted.

Shri Morarji Desai: I introduce the Bill.

12.41 hrs.

INDIAN PENAL CODE (AMENDMENT) BILL—contd.

Mr. Speaker: The House will now proceed with further consideration of the following motion moved by Shri Datar on the 30th August, 1961, namely:—

"That the Bill further to amend the Indian Penal Code, be taken into consideration."

The time allotted was 5 hours, time taken is 4 hours 25 minutes, and only 35 minutes are left.

Shri A. C. Guha (Barasat): Is the time going to be extended?

Mr. Speaker: On account of the importance of this Bill, the time for this will be extended by one hour. Now, Dr. Aney . . .

Dr. M. S. Aney (Nagpur): Mr. Speaker, Sir, I thank you for giving me an opportunity to express my views on the Bill and the problems that arise out of it.

*Published in the Gazette of India Extraordinary, Part II, Section 2, dated 31-8-61.

*Introduced with the recommendation of the President.

[Dr. M. S. Aney]

Sir, I confess that I have not been so far convinced of the necessity of the enactment of this new penal measure and its effectiveness also.

The object as given in the Statement of Objects and Reasons is to effectively check fissiparous, communal and separatist tendencies based on grounds of religion, caste, language or community or any other ground. I want to know whether the demand for the formation of Andhra, Karnatak, Maharashtra and Gujarat were due to the separatist tendency on the ground of language affinity or not? If it was so, who created it or encouraged it? Can it be said that that was due to the absence of any legal provision like the one which this Bill seeks to introduce now? If such a tendency was fissiparous, the blame for its growth and development has to be laid at the door of the Congress and the Congress Government itself.

Sir, the Government's enthusiasm for the acceptance of this pernicious principle has gone to the length of applying it to people who protested against it, in defiance of the recommendations of the States Reorganisation Commission, not to merge Vidarbha in Maharashtra by an undue extension of the principle of linguistic affinity which in reality amounted to encourage the spirit of colonialism against which Bharat fought and won its freedom and emancipation from the British Empire.

Is not the dispute regarding the border-land between the so-called linguistic States like Mysore and Maharashtra carried on in the same spirit? Even today, the Central Government by appointing various committees for settlement of the issues have in a way recognised that this offspring of separatist tendency in the name of language though illegitimate has to be adopted and given the status of a legitimate child. That

is the meaning of the appointment of Pataskar Committee.

Not only that, but if some people like the inhabitants of Vidarbha protest against their forced merger and ask and agitate for redress of the grievance, they are told that the thing has now come to stay and the agitators are dealt with in a manner that would have put to shame even the despots and tyrants of old.

If the Akali Sikhs make a demand on the basis of the principle which has been conceded thoughtlessly before, advice of sanity, necessity of integration and national unity is given to them coupled with a threat by moving a Bill to tell them that separatist tendency on the ground of language affinity is made a specific offence and that those who support Master Tara Singh and Sant Fateh Singh will be punished with imprisonment for three years and not two years only as before.

I venture to say that the separatist tendency has grown out of a wrong policy of the Government, and discrimination against the Akali Sikhs in not extending its application by denying formation of Punjabi Suba or any other demand of that kind is not going to help the Government in any way.

I deplore as much as any one of you who stand for communal unity, the outbreak of communal frenzy that took place recently in Jabalpur and certain others parts of Madhya Pradesh. I will have liked the Madhya Pradesh Government and the Central Government to hold a proper enquiry to probe into the causes that led to that deplorable situation. No mercy should be shown, in my opinion, to those who will be found guilty of heinous offence in these troublesome days, whether the culprits be Hindus or Muslims. In the eye of law and under our Constitution all persons professing different faiths and religions stand on the same footing. It is by doing justice that the State can expect the followers of different

communities to live in peace, co-operate with one another and recognise their obligations towards each other as good neighbours.

I submit, Sir, you cannot create that atmosphere by passing a law. The present law under Section 153A is enough to deal with all these miscreants. What is wanted is not law but the proper type of officers who have to administer the law. That is a duty of the Government and not of the legislature. It is being freely stated in the papers and by men who are expected to know the correct state of things in Madhya Pradesh that the officers did not show the vigilance and sense of alertness that was expected of them in the initial stages. If that had been done, the evil would have been nipped in the bud. A thorough inquiry would have enabled the Union Government to ascertain the facts and the reality of the position. For reasons best known to the Government of Madhya Pradesh such an inquiry was not held, and now it is a matter for busy men to indulge in speculation and imaginary hypothesis.

My hon. friend Pandit Thakur Das Bhargava has pertinently asked whether the Government can show that the present law was used and found inadequate to uproot the evil and hence the necessity of an amending Bill to be brought here. Sir, things are being done by the Government also in a state of panic.

Only one point more and I shall finish. Such a measure in my opinion is a sad commentary upon the nature of our administration. When Congressmen first entered the legislatures under the British rule, they wanted to use their position to abolish all repressive laws made by the British Government to suppress the Indian movement of liberty. This provision 153A and Section 124A figured prominently in the Bills then introduced by the stalwarts of the Congress for repeal of those laws.

What do we find today, after 14 years of independence and after

adoption of a Constitution that is perhaps an ideal charter of liberties ever written by man? We have fundamental rights and also directive provisions. Some of the hon. Members have shown that the provisions of section 153A, as they are, and the one which is proposed to be substituted now are in contravention of some of these rights, particularly those rights provided in article 19(2)(a) in the chapter on "Fundamental Rights". That is one thing.

Moreover, under British rule we, as Congressmen, protested that this law was bad law and requires to be repealed. But today we, the representatives of free people of India, want to say that these provisions are inadequate and so we must have more powers to deal with our people. It means that either we are becoming despots and tyrants or our people are becoming more wicked and vicious. I leave it to you, Sir, to judge.

I conclude, therefore, with a request to the hon. Home Minister to coolly think over the whole matter and not to be hasty in rushing it through the House.

Mr. Speaker: I have extended the time by one hour. Before I call any other hon. Member, may I know how long the hon. Minister will take?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): 30 to 40 minutes. I shall try to finish within half an hour.

Shri Ram Sewak Yadav: We may be given a chance.

Mr. Speaker: Which party does he belong to?

Shri Ram Sewak Yadav: Socialist.

Mr. Speaker: Though I will try to accommodate as many hon. Members as I can, I cannot give opportunity to every hon. Member. Now Shri Guha.

Shri A. C. Guha: This Bill rakes up many unpleasant memories of the last few years. My first reaction on getting this Bill is that it is an admission of failure and defeat on the part of this Government. After 14 years, the Government have to feel the necessity of coming before this House to strengthen their legislative power for checking fissiparous and separatist tendencies in the country. These tendencies, I am afraid, have rather been allowed to develop, to grow into an untoward proportion during the last few years, mostly due to administrative weaknesses. I do not know whether this amending Bill will improve the position in any way unless the Government make up their mind to be more energetic in enforcing the policy which they have in view in presenting this Bill.

For the last few years, on several occasions, matters have come up before this House which were not pleasant for the Government or for the nation. Many unpleasant things have occurred in many parts of the country and the Government, I should say, ought to have been more careful, more vigilant and more energetic in checking the undesirable developments in the country. The Government administration, in a way, have helped the development of these fissiparous and separatist tendencies. So, I should cite a few cases here.

The States Reorganisation Commission specifically mentioned the domicile rule prevalent in many States. The domicile rules in effect made certain categories of people in certain States into a somewhat sub-status citizens. Under these domicile rules certain sections of the people in certain States have been denied the right of employment, the right of avocation, the right to possess property and many other rights. Even the educational rights have been denied. Government did not take any step to check or to curb such propensities of the State Governments.

After the report of the States Reorganisation Commission, just five

years ago, they issued a memorandum to the State Governments. But, have they ever cared to see whether the State Governments have been respecting that memorandum or whether they have been simply ignoring the instructions and directions given in that memorandum? Now there is a talk that the Government will make the provisions of the 1956 memorandum obligatory on the State Governments. I do not know whether under the existing provisions of the law and the Constitution the Centre can make the 1956 memorandum obligatory on the State Governments to be complied with. Anyhow, if the Central Government have sent some directives or instructions to the State Governments, I think they should have taken care to see that the State Governments comply with them and act up according to the directions imposed by that memorandum. I hope something will be done in that direction.

The Constitution was amended to give protection to the linguistic minorities and to help the integration of the Indian nationhood. Article 350B provided for the appointment of a Special Officer. But if you read that article, you will be surprised that such an ineffective article should have been put in the Constitution. It reads:

“(1) There shall be a Special Officer for linguistic minorities to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and to report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament, and sent to the Governments of the States concerned.”

No executive authority has been given to the Linguistic Minorities Commissioner, as he has been designated, or to the Central Government,

not even to the President of the Republic of India, to take any action on the recommendations of the Commissioner for Linguistic Minorities. What is the use of appointing a special officer and asking him to make reports if no action is taken on those reports? I think three or four reports have been submitted by him and on two occasions his reports were debated by this House and every hon. Member mentioned that the report was scrappy. And practically every State Government ignores his recommendations. I think Government should take certain powers to see that the recommendations of the Commission for Linguistic Minorities are made obligatory to be enforced by the Government. Since the State Governments seem to take these recommendations very lightly, at least some authority should be given to the Central Government to see that the reports of the Commissioner for Linguistic Minorities are not thrown to the waste paper basket by the respective State Governments.

Pandit Thakur Das Bhargava (Hisar): The Central Government can issue a directive to the local governments to behave in a certain manner, that is, according to the report of the Commissioner.

13 hrs.

Shri A. C. Guha: In article 350B there is no provision like that.

Pandit Thakur Das Bhargava: This was the argument of the hon. Home Minister.

Shri A. C. Guha: Might be, but I do not think any such step has been taken by the Central Government, that is, of giving a directive to the State Governments for the implementation of the recommendations of the Minority Commissioner's report. Anyhow, if anything has been done, I am sure the hon. Minister will mention it and I shall be happy if anything has been done. But my impression is that this officer is completely impotent and is without any authority. Even the Central Government has not got

any authority to implement the recommendations of this officer.

Much has been said about linguistic matters. That, I feel, is the greatest menace to the integration of India. It is a greater menace than communal or religious dissensions because religious groups are dispersed throughout the country and there will be hardly any occasion for them to claim secession. But linguistic groups are concentrated at particular places and there may be claims for secession from the Indian Union except in the North-East borders. Such claims have come. I do not know whether such claims would not come in future. So, this is the most important thing we should be careful to guard against.

I do not like that the majority linguistic group should sacrifice their language, but at the same time the minority linguistic groups also should be given some protection. The States Re-organisation Commission's report has said on page 216:

" . . . we wish to emphasise that no guarantees can secure a minority against every kind of discriminatory policy of a State Government Therefore, if the dominant group is hostile to the minorities, the lot of minorities is bound to become unenviable."

This is the position of the linguistic minorities in most of the States. This is the greatest danger to our national integration.

Yesterday one hon. Member from the Tribal areas of Assam spoke in vehement terms. We may not like the tone or vehemence of his speech, but I think the House will agree that there is sincerity in his speech and that he has spoken from his own personal bitter experience. His language may be somewhat strong. His vehemence we may not like, but surely we cannot dismiss his speech without any consideration. That requires serious consideration from the Government.

A few months ago a Muslim Convention was allowed to be held here, per-

[Shri A. C. Guha]

haps with the blessings of some big persons of this Government. That was a great mistake, I should say. This is, I think, the beginning of a new chapter in Indian political field. I am sorry to say that certain speeches were made by responsible hon. Members of this House in that Convention which were not at all desirable and which I did not expect from such senior hon. Members of this House. It will be an utter negation of truth to say that the Muslims in India have been reduced to the status of sub-citizens or second-rate citizens. They enjoy all the privileges of Indian citizenship and the highest positions in the country have been kept open to them. Posts of Governors, High Court judges, ambassadors and every other post has been kept open to them. There is no bar to them. But I can agree that in the lower level there may be some discrimination. But that is not only because of religion. Such discrimination occurs even on the basis of caste, language and religion also. If you go to any office, you will find that if the head of the department belongs to a particular caste, language, province or religion preference is given as regards appointment and even promotion to people belonging to his caste, religion, province and language. That is a thing which is very prevalent and common in the administration. That, I think, is a very disintegrating factor in our Indian administration. Much of the spirit of separatism develops from this administrative discrimination on the score of caste, language, religion etc. That is also a point which the Government should consider.

Coming again to this Muslim Convention, the immediate result of this Muslim Convention, is the revival of the Muslim League in different parts of the country. U.P. was perhaps the spearhead of the demand for Pakistan. It was not Punjab. It was not Bengal. Bengal resisted the demand for Pakistan for a pretty long time. Punjab also resisted the demand for Pakistan for a pretty long time. Bengal we

under the Krishak Praja Party administration then and Punjab was under the Union Ministry's administration. It was U.P. which was the spearhead of the demand for Pakistan. Now again we find in the papers that the Muslim League has been formed in U.P. and is going to contest a number of seats both for the local Assembly and for Parliament. It is an ominous development and Government should not take it easy. They should see what can be done.

I am not in favour of putting an omnibus ban on all communal organisations. It will be very difficult to define a communal organisation. Which organisation is communal and which is not is very difficult to define. Simply the name cannot justify any political party being communal or secular. Under the garb of the name there may be many other things. So, it is not so easy. But still the Government should be careful about this revival of the Muslim League in many parts of the country, particularly in U.P., and in Kerala.

There were some rumblings in West Bengal also. Fortunately communalism has never thrived in Bengal as much as it has in other States. Neither the Hindu Mahasabha nor the Muslim League, I hope, will have much influence in Bengal. As the last two elections have shown the Hindu Mahasabha has never been able to capture any seat in West Bengal.

13.07 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

There is a talk about a Hindu Convention. I think the Hindus of India are in a secure position. They can afford, for some time at least, to take a generous view of the minorities, even of some of their undesirable activities. I hope the Hindus will not hold any such Hindu Convention just to make a counter-show against the Muslim Convention. That will not be quite to the dignity of the Hindus of India.

In certain parts of Bengal and Assam there have been some undesirable activities for some time. Pro-Pakistan leaflets, banners and other things have been found in possession of a number of persons. I wish the Government had taken some stern action on the find of such things. Only about two or three years ago, I think, a sort of a large religious congregation of Muslims squatted on the streets of Howrah for hours together.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri A. C. Guha: They were shouting 'Pakistan Zindabad' slogan. The Government did not take any action to disperse the crowd in time. I think the Government should not have shown such weakness in these matters.

Since you have rung the bell, I shall try to conclude my speech. As regards the provisions of this Bill, I do not feel that this Bill, as I have stated earlier, will much improve the position of the Government in regard to legislative measures. The existing section 153A gives all the authority that the Government requires. In the amendment they have only spotlighted the grounds, namely, promotion of communal hatred and other things. Religion, race, language, caste, community—only these four or five points have been spotlighted in the amendment; otherwise, I think, the amendment does not give any greater authority to the Government than what is already existing under section 153A.

The increase in the punishment from two years to three years is not of much significance. I do not know why they have said in the last line of this amending clause "shall be punished with imprisonment which may extend to three years, or with fine. . . ." That means a judge can simply impose a fine and not give any sentence for imprisonment. I think that alternative should not be there. It should be surely imprisonment. Fine may or may not be there. I think the hon. Minis-

ter will look into this and see whether 'or' could be changed into 'and'.

I would request the hon. Minister to see if he could retain the Explanation to the existing section 153-A. This Explanation is the safety valve for the expression of genuine grievances. As has been stated by Shri Naushir Bharucha, even the statement of the Prime Minister made of course on the floor of the House, is beyond the jurisdiction of any court or authority.

Shri Naushir Bharucha (East Khadesh): What I meant was, it would attract the mischief of the section if it had been made outside the House.

Shri A. C. Guha: Had it been made outside, it may have come within the mischief of the amending Bill, unless this Explanation is there. I hope he will see if he could retain this Explanation. Expression of genuine grievances should not be made punishable. The executive should not be given any authority to punish persons for giving expression to genuine grievances.

Mr. Deputy-Speaker: Shri Ranga, five minutes or ten minutes.

Shri Ranga (Tenali): I will take two minutes.

Sir, I am not in favour of this House passing this Bill at this stage. I would rather that it should be sent into circulation so that we would be in a better position to know the mind of the people as expressed through various organisations before we proceed with passage of this Bill. The Bill seeks to give much more power than has already been given by an earlier Act to the executive. So much depends on the manner in which the executive will be enforcing this law. We have come to a stage, as was mentioned by Shri Tyagi yesterday, when we cannot be quite sure that the Government of the day either in the States or here, would implement, would enforce this legislation in an entirely impartial, effective, constructive manner.

[Shri Ranga]

Only the other day, one of my comrades and respected colleagues, the head of the Swatantra Party in the Punjab was taken into detention. Until now, the grounds on which he has been detained have not been published. Efforts were made by so many of us to obtain the grounds and we have not been vouchsafed with the information. So much so, it has not become possible for us even to move for *habeas corpus* writ for Sardar Udham Singh Nagoke. He has had nothing to do with Akali Punjabi Suba agitation as it is being organised and carried on. He was carrying on our party's work. He was maintaining liaison between our party and those who are associated with our party, Master Tara Singh and those friends of us. For the sin of that, he has been clapped into jail. We do not know why. The Government does not care to give us the reasons. I have sought permission through my hon. friend the Home Minister here to interview him. That permission has not so far been given. Neither the Punjab Chief Minister nor the Home Minister here is in a position to know why such a permission ought not to be given to me and has not been given to me and why the friends of Sardar Udham Singh Nagoke have not been given the reasons for which he has been detained and in that way, to move the Supreme Court or the Punjab High Court for *habeas corpus*. If this is the manner in which these laws are to be enforced in our various States, how can we be expected to repose so much confidence in them and in their sense of impartiality as to place this additional power also in their hands, that too, just in advance of the elections?

One would have understood if a legislation like this had been brought forward soon after the general elections, so that the country would have four years time to know how this legislation would be enforced. It would have been open to any Member of the House to bring forward an amendment to the Bill in order to

avoid the mischief or the wrong manner in which the Government behave. Now, we have no opportunity at all to know how the Government is likely to behave at the time of the next elections. My hon. friend from the Tribal Areas warned the country yesterday. My hon. friend Shri A. C. Guha also warned the country that the minorities have got very many grievances and therefore, would have the necessity to ventilate their grievances and they should not be brought within the mischief of this legislation, and that they should not be brought within the mischief of the legislation merely because they used certain words or make certain gestures or behave in some manner which would upset the local officers concerned or local Ministers or legislators who would have influence with the Ministers. It would upset them to such an extent that they would invoke the aid of this legislation and they would all be clapped in jail and even long before they are clapped, many more will be prevented from carrying on legitimate espousal of the cause. We do not know how it will be enforced. That is the fear. That is the reason why I am not able to associate myself with this Bill.

Many more things can be said. Many hon. Members have already urged almost all those reasons that can be urged in opposition to the Bill as it is sought to be passed at this stage. Therefore, in conclusion, I would only like to say this. If the hon. Home Minister and the Government are keen on preventing communalism from playing a major role, a destructive rule, a perverse role at the time of the the next general elections, what they ought to do is not to proceed with this or similar Bill, but to call a conference or series of conferences if necessary, of all the leaders of the various political parties and others associated with them and various organisations also and try to find a formula by which they would be able to get the general consensus of agreement as between themselves to prevent com-

munalism from being exploited or pitch-forked into vicious prominence, at the time of the general elections. That would be much better than this. I do not think this is likely to serve that very purpose. On the other hand, it can be mis-used and mis-used badly, because we have very many people placed in very high authority and power who cannot be said to be behaving in a responsible manner.

श्री रामसेवक यादव : उपाध्यक्ष महोदय, यह जो संशोधन विधेयक गृह मंत्री महोदय ने रखा है उसका उद्देश्य साम्प्रदायिक तथा अलग-अलग की प्रवृत्तियों को रोकना है चाहे वह धर्म, जाति, भाषा, सम्प्रदाय या कोई अन्य आधार पर हों। इस विधेयक का उद्देश्य यह है कि मुल्क में तोड़फोड़ और अलग-अलग बढ़ रहा है और मुल्क की एकता को जो धक्का लग रहा है उसको रोकना है और उसका कारण भाषा विवाद, साम्प्रदायिकता और धर्म इत्यादि बतलाये गये हैं।

उपाध्यक्ष महोदय, मैं गृहमंत्री महोदय जानना चाहता हूँ कि क्या जो इस देश में विभिन्न धर्मों के लोग रहते हैं, जाति प्रथा इस देश में चलती है और अलग-अलग भाषाओं का सवाल है, तो इन तमाम समस्याओं का हल कोई इस तरीके का कानून बना कर और लोगों को जेल में ठूस देना है? यदि मौजूदा कानून बन जाता है तो मैं तो यहीं कहूँगा कि सीधे सीधे जनतन्त्र को इस देश में जबरदस्त खतरा पैदा हो जायगा क्योंकि जनतन्त्र का एक उपयुक्त हथियार अगर कोई हो सकता है तो वह बोली ही हो सकती है परन्तु इस कानून के जरिये हम बोली को बंद करने जा रहे हैं।

अब मैं निवेदन करूँगा कि जैसे इस देश में अंग्रेजी भाषा का सवाल है और दूसरी भाषाओं का सवाल है सब से पहले तो हमारी ही पार्टी इसका शिकार बन सकती है क्योंकि सोशलिस्ट पार्टी चाहती है कि

अंग्रेजी का सार्वजनिक प्रयोग समाप्त किया जाये और इस सिलसिले में सोशलिस्ट पार्टी कुछ दलीलें देगी, बहस चलायेगी और भाषण होंगे और उनको लेकर यह कहा जा सकता है कि यह तो नफरत फैला रही है और अलग-अलग फैला रही है लिहाजा सोशलिस्ट पार्टी वालों को इस तरीके से बंद कर दिया जाय? अब क्या यह जनतन्त्र के उपयुक्त होगा? इसी प्रकार अध्यक्ष महोदय, इस देश में मुस्लिम धर्मों के लोग रहते हैं और वह मुस्लिम धर्मों के लोग अपने अपने धर्मों को बढ़ाने के बारे में कुछ निखेंगे, कुछ चर्चाएँ चलायेंगे, बहस करेंगे और अगर हम यह कहें कि इस से देश में विघटन बढ़ रहा है, इसलिये उनको जेल में ठूस दिया जाये, तो क्या नतीजा निकलेगा?

इसी तरह आज देश में जाति-प्रथा कायम है और उसके आधार पर हरिजनों को पूरे अधिकार नहीं मिल रहे हैं। कई सार्वजनिक स्थान ऐसे हैं, जहाँ लोग स्नान करते हैं, और पूजा के स्थानों पर उन को नहीं जाने दिया जाता है। यदि दबे पिसे हुए हरिजन इस व्यवस्था के खिलाफ लड़ाई करते हैं और इस हेतु अपने भाइयों के खिलाफ तर्क करते हैं, दलीलें देते हैं, बहस करते हैं, तो उनको यह कह कर जेल भेज दिया जायेगा कि इस से जातिगत और धर्मगत द्वेष फैलाया जाता है। मैं यह निवेदन करना चाहता हूँ कि सरकार की ओर से जिस उद्देश्य और लक्ष्य का जिक्र किया गया है, उस की प्राप्ति कानून के द्वारा कभी भी सम्भव नहीं है। अगर मंत्री महोदय यह चाहते हैं कि वह उद्देश्य प्राप्त किया जाये, तो मैं निवेदन करना चाहता हूँ कि वह इन समस्याओं के कारणों को खोजें।

जहाँ तक सम्प्रदायवाद का सम्बन्ध है, सारे देश में यह खमन हो गया है कि राजनीतिक दल साम्प्रदायिकता को चुनाव जीतने का हथियार मान कर इस्तेमाल करते हैं। इस सम्बन्ध में कृष्णास्व दल की व्याख्या

[श्री राम सेवक ादव]

जिम्मेदारी है, किन्तु जितनी ज्यादा उस की जिम्मेदारी है, उतनी ही ज्यादा साम्प्रदायिकता को निजी स्वार्थों की रक्षा के लिये और अपनी गद्दी को बनाये रखने के लिये इस्तेमाल किया जाता है। मैं आप के सामने एक उदाहरण रखना चाहता हूँ। स्वतंत्रता-प्राप्ति के अवसर पर हिन्दुस्तान और पाकिस्तान देश के दो हिस्से बने। उस के बाद बराबर यह कोशिश की गई कि किसी तरह हिन्दू और मुसलमान आपस में मिल कर चले और अपनी पसन्द के मुताबिक सियासी जमाअतों में शामिल हों, ताकि अलगवाव खत्म हो। लेकिन यह देखा जाता है कि जब एक दिशा की ओर हम बढ़ते हैं, तो देश में ऐसी घटनाएँ होती हैं और ऐसी काम किये जाते हैं, जिन से उा अभीष्ट में रोक लग जाती है और हम अपने उद्देश्य को पूरा नह कर पाते हैं। यहाँ पर साम्प्रदायिकता का जिक्र किया जाता है, लेकिन जब केरल में कांग्रेस को गद्दी से हटा दिया गया, तो उस गद्दी को हासिल करने की इच्छा के आधार पर मुस्लिम लीग के साथ, जिस के बारे में हिन्दुस्तान का हर एक आदमी जानता है—और खासकर कांग्रेस का तो इस बात की ज्यादा वाकफियत होनी चाहिये—कि उस ने मुल्क का बंटवारा कराया था, चुनाव-समझौता किया गया। वह समझौता होने और सत्तारूढ़ हो जाने के बाद प्रधान मंत्री ने कहा कि हम ने मुस्लिम लीग का विधान ही नहीं पढ़ा था, इसलिये हम ने उस के साथ समझौता कर लिया। कन माननीय सदस्य, प्रोफेसर मुकर्जी, ने बताया था कि किस तरह मुस्लिम लीग का का मेम्बर वहाँ पर स्वीकर बनाया गया यह कह कर कि उस ने मुस्लिम लीग से इस्तीफा दे दिया है। जहाँ तक मुस्लिम लीग का सम्बन्ध है, उस की ओर से यह कहा गया कि यदि हमारे सदस्य के स्वीकर बनने के रास्ते में मुस्लिम लीग की मेम्बरशिप हासिल हो तो हम उन को इस्तीफा देने की इजाजत

दे सकते हैं। इस स्थिति में क्या मैं यह पूछ सकता हूँ कि क्या यह कानून ईमानदारी पर आधारित है ?

दिल्ली में जो मुस्लिम कन्वेंशन हुआ, उस में कांग्रेस दल के सारे मुस्लिम सदस्य शामिल हुए और उस के बाद उन्होंने प्रधान मंत्री महोदय को एक मेमोरेण्डम दिया, जिस के बाद उन्होंने यह बयान दिया कि प्रधान मंत्री ने बहुत ही गौर से हमारी बातों को सुना और वचन दिया कि हम इन चीजों को देखेंगे। इस विषय में कांग्रेस दल का एक ही उद्देश्य है। मुसलमान भाई जिस किसी तबके से ताल्लुक रखते हैं, उस के मुताबिक, अपने अपने मफाद की हिफाजत करने के लिये मुस्लिम सियासी जमाअतों में, पोलीटिकल पार्टियों में, इन्ट्रैट हो रहे हैं, जिस का परिणाम यह होगा कि अब कांग्रेस को वोट नहीं मिलेंगे। उन को किसी झंडे के तहत इकट्ठा कर के उन के कुल वोट पा कर अपनी गद्दी को मजबूत करना ही कांग्रेस का उद्देश्य है।

यदि सरकार का उद्देश्य राष्ट्रीय एकता है, तो मैं निवेदन करना चाहता हूँ कि वह राजनैतिक दलों की एक आचार-संहिता तैयार करे। मोशलिस्ट पार्टी उस में शामिल होने और पूरा सहयोग देने के लिये तैयार है, लेकिन उस के लिये यह कीमत चुकानी पड़ेगी, जो कि कांग्रेस दल के हिसाब से बहुत बड़ी कीमत समझी जायगी, कि सब से पहले केरल में मुस्लिम लीग से रिश्ताना तोड़ना पड़ेगा। गांधी जी की पुण्य जन्म तिथि के अवसर पर २ अक्टूबर को हम हरिजनों को ले कर जायेंगे अगर ऐसा नहीं होता है, तो उस उद्देश्य की प्राप्ति नहीं होगी।

जहाँ तक इस बिल का सम्बन्ध है, इस का सीधा अर्थ यह है कि जो लोग वह चाहते हैं कि जाति-प्रथा खत्म हो, वे इस बारे में

जाति-प्रथा के समर्थकों से बहस करेंगे और जाहिर है कि इस में किसी को गुस्सा हो सकता है और उसी को आधार बना कर मंत्री महोदय और यह सरकार उन लोगों को जेल में भेजने का पूरा पूरा इन्तजाम करेंगे। इस का परिणाम यह भी होगा कि यदि कोई विरोधी दल का उम्मीदवार जीत जायगा, तो उस के चुनाव को अवैध करार दे दिया जायगा और उस को जेल में भेज दिया जायगा।

श्री जगदीश प्रसाद (बिहारी) : छः साल के लिये डिस्कवालिफाई भी कर दिया जायगा।

श्री रामसेवक दास : मैं यह पूछना चाहता हूँ कि क्या इस मुल्क से अंग्रेजी भाषा को हटा कर इस देश की अपनी भाषाओं, मराठी, बंगाली, तमिल, तेलुगू, पंजाबी और सिंधी आदि को यहां पर राज्य करना, उन में सार्वजनिक काम चलाना, उस के लिये दलील करना, मीटिंग करना, प्रखबार छापना, मंगठन बनाना देश के लिये अहितकर है। क्या यह देश-द्रोह है? लेकिन होने यह जा रहा है कि अंग्रेजी को प्रतिष्ठित करने के लिये उन संस्थाओं को जेल में ठूस दिया जायगा, जो कि अंग्रेजी को हटा कर सरकारी काम को हिन्दी में चलाने के समर्थन में प्रचार करती हैं।

मैं निवेदन करना चाहता हूँ कि यह देश बिचित्र है, इसमें अलग अलग भाषायें और हैं। जब तक ऐसा रहेगा तब तक उन से उत्पन्न समस्याओं को हल करने के लिये शान्तिपूर्ण रास्ता ढूँढना होगा, समझा बुझा कर कोई उचित तरीका ढूँढना होगा, लेकिन उस के बजाये यह कानून का तरीका अपनाया जा रहा है। मैं माननीय गृह मंत्री जी की एक मिसाल देना चाहता हूँ। धनी हम राजस्थान में सीकर जिले में स्थित मण्डेसर झरने पर नये से, जहां पर खोव खान और पर स्नान

करते हैं और मेला लगता है और हरिजनों को वहां नहीं जाने दिया जाता है, महात्मा गांधी की पुण्य जन्म-तिथि के अवसर पर, १० अक्टूबर को गये थे। वहां पर सबर्ण हिन्दू कहते हैं कि अगर हरिजन आयेंगे, तो हम उन को मारेंगे, कूटेंगे। इस तरह के अधिकारों की प्राप्ति को लेकर बहस चलेगी। हम जन-तांत्रिक हैं, हम अहिंसा में विश्वास करते हैं, गांधीजी के रास्ते पर चलते हैं। हम हथियार नहीं उठावेंगे, कंकड़ी नहीं फेंकेंगे, लेकिन अपने पक्ष के समर्थन में दलील देंगे और जनमत को प्राप्त करेंगे। लेकिन उस स्थिति में सिवाये जेल का दरवाजा देखने के हमारे लिये कोई रास्ता नहीं होगा।

इसलिये मैं चाहूंगा कि इस महत्वपूर्ण कानून को इस भासानी के साथ, इतनी तेजी के साथ पास करने की कोशिश न की जायें। इस में भाषा और जाति आदि जिन बातों को अपराध का आधार बनाया गया है, उनसे सारा हिन्दुस्तान प्रोत-प्रोत है। उस आधार पर लोगों का जन भेज कर एकता कायम करने के बजाये अनेकता को कायम करने की बात है। इससे और बिचटन होगा और जनतन्त्र की मर्यादायें मिटेंगी और, जैसा कि हमारे किसी साथी ने कहा है, यह एक काला कानून होगा।

इन कारणों से मैं इस विधेयक का विरोध करता हूँ।

Shri Lal Bahadur Shastri: Mr. Deputy-Speaker, Sir, I have listened to the speeches of hon. Members with careful attention, and I must say that although there has been some criticism of this Bill, it has been generally said that the principles on which the Bill is based are sound, and they should be generally acceptable to all, specially to political parties. There is some difference of opinion on certain clauses, especially about the omission of the explanation which was provided in the original section. Some other objections have also been raised. I shall go into them a little later.

[Shri Lal Bahadur Shastri]

I am a bit surprised that there should be a demand for the circulation of this Bill for eliciting public opinion. The problem of communalism or casteism or provincialism is nothing new for us. This bane of communalism has been here in this country for many many years. But formerly it was mostly due to the then foreign Government which essentially believed in the divide-and-rule policy. But I hesitate to say so, because there is no point in criticising them when, even after 14 years of independence, we find that those feelings and sentiments still persist in one form or the other. Besides communalism, it is most unfortunate that certain other fissiparous tendencies are also raising their heads, whether it is casteism or provincialism or, during the recent past, if I might use the word, linguism. I am quite sure that the whole House fully realises the gravity of the situation in so far as these disintegrating tendencies are concerned.

This matter has been discussed off and on in this House, and there has been a demand from this House that Government should take effective action against communalism and other disintegrating forces. It has been discussed in several State legislatures, and the House is aware that this matter was recently discussed in the conference of the Chief Ministers more than once; and the general opinion was that we should do something and move in the matter as early as possible.

Shri Vajpayee some time back had raised the question and asked me whether the proposal for bringing up a measure for declaring certain communal organisations as unlawful had been considered or not, what decision Government had taken on that particular matter. As I said before, we have given thought to that question, but, as I have said before, there are various aspects of the problem which should

be carefully considered before we come up to this House or before Government comes to a final conclusion.

In fact, I thought the House would appreciate our approach. We do not want to go the whole hog in the matter, and I am not quite able to appreciate what Shri H. N. Mukerjee meant when he said that a more comprehensive Bill should have been placed before this House. His wishes would have been perhaps fulfilled if we had come up with a Declaration of Unlawful Associations Bill or something like that, but we have not done so, and it should not be misinterpreted. Of course, as I said, we have positively to consider various aspects, but secondly, in view of the forthcoming elections, if any such measure is brought before the House,—and frankly speaking, I do not rule out that kind of measure at all—if anything is done on those lines at the present moment, I have no doubt that especially the Members of the Opposition, and the Opposition parties, will bring up or level the charge that the Government is deliberately doing it in order to put themselves in an advantageous position.

So, we did not do that, and we have merely come up with a restricted amendment of the Act with a view to take action against individuals, and not against organisations, individuals who meddle in communal or caste or linguistic politics. If they behave or act in a manner which creates enmity and hatred between community and community or between different classes of people, there should be some power with Government to take action against them. If any individual behaves in that manner, I think the House will lend full support to Government that action is taken against him, so that his improper activities are counter-acted.

Why do we come up with this Bill? As the House is aware, there was the Criminal Law Amendment Act of

1908 under which, I think, any organisation could be declared unlawful. This Act was declared *ultra vires* by the Madras High Court, but later on it was upheld by the Supreme Court. There was section 124A of the Indian Penal Code, which was also declared *ultra vires* by some High Court

An Hon. Member: Punjab High Court.

Shri Lal Bahadur Shastri: Punjab High Court. I said some High Court. They doubted the validity of that provision. Personally speaking, I do not feel unhappy over it that the High Court and the Supreme Court should have come to that decision, because conditions have entirely changed, and in the present context the parties and the Members of the Opposition and others are free to speak against the Government, criticise the Government for its failings and for taking other legitimate action.

Shri Jagdish Awasthi (Bilhaur): Against the English language also?

Shri Lal Bahadur Shastri: I am now talking of Government. I am saying that the hon. Member is free to criticise us, condemn us, for all failings, for the failings of Government. So, those powers needed are not there, and we have now to face the existing or present situation in which, as I said before, these tendencies are on the increase.

It is said that Government is guilty in this regard. That is what Shri Guha just now said, but he should not forget his own responsibility. I am prepared to accept our failings, but as an old leader and old guard of the national movement, Shri Guha has no less responsibility than a Minister who sits on these benches. The organisation of which he is a distinguished member may not have succeeded—and he is a member and I am also a member—and I venture to say that the leaders of the Opposition groups have also failed. . . .

Shri Tyagi (Dehra Dun): More.

Shri Lal Bahadur Shastri: because it must be admitted that we

have not been able to remove the vicious feeling that existed before and exists today in the minds of the different communities. Unfortunately, as I said, in certain matters it is on the increase, because formerly the language problem did not rouse such passions.

There was a good deal of casteism before. There were caste organisations also but on account of elections it seems that caste feelings are also on the increase. May I ask the House whether it is not time for us to move at least to some extent in this direction to counteract and check it? I shall read out what the Constituent Assembly, in 1948, had passed. It said:

"Whereas it is essential for the proper functioning of democracy and the growth of national unity and solidarity that communalism should be eliminated from Indian life: This Assembly is of opinion that no communal organisation which by its constitution or by the exercise of discretionary powers vested in any of its officers or organs admits or excludes from its membership persons on grounds of religion, race and caste or any other

I will not read the whole of it. At the end, they say:—

"All steps, legislative and administrative, necessary to prevent such activity should be taken."

So, the Constituent Assembly has directed that all steps, legislative as well as administrative, necessary to prevent such activities should be taken. (Interruption). That is the Resolution of the Constituent Assembly passed in April, 1948.

Shri Tyagi: The emphasis was on 'administrative'.

Shri Lal Bahadur Shastri: Administrative as well as legislative. The words are there. How can you emphasise the one rather than the

[Shri Lal Bahadur Shastri]

other? I know all administrative action has got some sanction behind it.

Shri Hynniewta (Autonomous Districts—Reserved—Sch. Tribes): May I ask the hon. Home Minister why that Resolution of the Constituent Assembly does not find a place in the Constitution?

Shri Lal Bahadur Shastri: All administrative acts have got sanction behind them, and the sanction is that of law. No administration can function unless there are adequate legislative measures for it to enforce their administrative orders. Therefore, in this background, I am surprised at the motion that this Bill should be sent out for circulation for obtaining public opinion.

The other suggestion made by Shri Mukerjee was that it should be postponed for two reasons. Firstly, he said that there is the National Integration Committee which is still meeting and has yet to submit its final report. Secondly, it might be brought up some time later when it has been further discussed and considered amongst a group of people or between Government and others.

In so far as the National Integration Committee is concerned, I am not quite certain—I did make enquiries only this morning and I was told that the later report, the printed copy of which was sent to me also is the final report—it perhaps is the final report the Committee. It is a different matter that the National Integration Committee continues to exist and meets from time to time, and discusses matters and makes further suggestions. But, the suggestions apart, what is more important for the National Integration Committee is to see that their recommendations which have been accepted by Government are implemented. So, it is specially for that purpose that the National Integration Committee continues to function; and it should continue to function. But

they have dealt with almost all the major points and they have been embodied in the final report they have given to the AICC, a copy of which has also been received by Government.

Shri H. N. Mukerjee (Calcutta—Central): May I ask if it is not merely an interim report which the Committee has submitted? And the idea of an interim report itself implies that it will be finalised—perhaps it may take not too long a time.

Shri Lal Bahadur Shastri: I do not know. I enquired from Shri Sadiq Ali, the General Secretary of the AICC, who is, perhaps, also the convenor of this Committee; and he himself has indicated to me that in the sense that the report has been submitted to the Working Committee and approved by them and later on considered by the Conference of Chief Ministers and approved by them also, in that sense, it is final. That is what he has informed me.

Shri Vajpayee (Balrampur): May I ask a clarification, whether this Committee has been convened at the instance of the Prime Minister in his capacity as Prime Minister or has it been convened by the Congress Party?

Shri Lal Bahadur Shastri: It was convened at the time of Bhavanagar Congress and by the Congress and not by the Prime Minister.

Pandit J. P. Jyotishi (Sagar): Does not an interim report say the very necessary things that are to be implemented? Are not things suggested in the interim report the things in which we do not want delays?

Shri Lal Bahadur Shastri: As I said, almost all the major points have been covered in that report and I have nothing further to add to that.

The second point of Shri H. N. Mukerjee is postponement of the Bill.

My difficulty in that is that if we postpone it we will have to bring it in the November-December Session. If we bring it then, if not Shri Mukerjee, some of his other colleagues on the opposite side will get up and charge us with having deliberately brought it just on the eve of the elections in order to create difficulties for them. So, if something has to be done it has to be done here and now in this session.

I, therefore, consider it very advisable that we should consider this Bill now and the House should give its approval.

In so far as the objection that section 153A is sufficiently wide—and it was said that no change is really required—it has to be realised that the difference between the original section and the present one is that it definitely points out to caste, community, religion and language etc., which was not there. In fact, we want to restrict it to these specific matters and not make it as wide as before. It has to be remembered that in olden days this section 153A was generally used for a different purpose. We cannot have that purpose in view, in the context of the broad and radical changes we want to bring about in the present social order. It is, therefore, essential that propaganda and conflict in regard to matters like caste, community and religion etc. should be specifically laid down.

Shri Tyagi: May I just enquire whether there is any High Court or Supreme Court ruling to say that these caste, community and religion are not covered by the old section 153A of the Code? What was the justification for a change if these were covered already?

Mr. Deputy-Speaker: That is the reply given by the hon. Minister. These were included and there were certain other things also covered and they want to exclude them.

Shri Tyagi: Shall I take it that the offences committed on other grounds

will be excluded? I want the Minister to say whether if these were covered there was any difficulty in any prosecution in that respect or is there any ruling.

Shri Lal Bahadur Shastri: If he will see clause (a) of section 153A, he will find that it mentions religion, race, language etc. or any other ground whatsoever. So, other things are not really different. Our purpose is pointedly to bring out these things—communalism, etc. so that people may know.

Shri Tyagi: My point is this. Was it not covered already under 153-A?

Shri Lal Bahadur Shastri: Generally, it was covered. It has to be pinpointed. 153-A of course in a sense was meant to deal with class conflicts and class struggles. Tyagiji will remember that in the old days it was used against those Congress workers who agitated for the abolition of zamindari. In that context it was used and also for different purposes. Formerly, it was made to cover hatred between different classes of citizens of India. Nothing was mentioned about communalism or casteism. They were very particular at that time to nip in the bud any kind of class conflict. Similarly, in this Bill we want to pinpoint these things on which we want to lay emphasis. I said that in the present context it is necessary. If there is violence in any case, action will have to be taken.

Mr. Deputy-Speaker: The scope of this Bill is as wide as the previous section in the Indian Penal Code? That is what the hon. Members want to know. Has it been narrowed down in certain things or has it been made broader to include more things that were not there before.

Shri Tyagi: Classwar has been accommodated; if there is economic dispute that has been excluded. . . .
(Interruptions).

Shri Tangamani (Madurai): The old section included communal cases also.

[Shri Tangamani]

There are so many judgments to show that. If there was, for instance, a campaign against Muslims or their practices, that came under the mischief of 153-A.

Shri Lal Bahadur Shastri: I never said it did not. In the old days it was generally used for other purposes also; sometimes it was used against those who promoted communal disharmony or enmity.

Shri Raghupir Sahai: Tyagi himself was convicted under section 153-A.

Shri Lal Bahadur Shastri: That is very good.

Shri Tyagi: That is very good? I thought you would sympathise with me.

Mr. Deputy-Speaker: Would that sympathy be of any avail now?

Shri Lal Bahadur Shastri: In those days no sympathies were shown to those who went to jail. But all I say is that the powers which were there still remain. Certain things have been specified clearly; that is what I wanted to emphasise.

The second point is about the sentence provided for; it has been increased from two years to three years. The idea mainly was to make it a little more deterrent. After all it is for the courts to decide as to what punishment should be awarded.

Shri A. C. Guha: The decision of the courts may mean imprisonment or fine or both.

Mr. Deputy-Speaker: That is the usual theme in the whole of the Indian Penal Code.

Shri Lal Bahadur Shastri: It is always left to the discretion of the court whether punishment should be heavy or light.

There has been some criticism over the omission of the explanation. Our intention in omitting the explanation is with a view to cast the responsibility on the offender to prove that his intentions were not mala fide or malicious.

Shri A. C. Guha: In the amending clause, there is no question of motive; it speaks only of results; no question of intention is there.

Shri Lal Bahadur Shastri: It has been argued in this House by several hon. Members that if any person speaks or writes in order to express his grievances which pertain to his community or caste, he should have the freedom to do so and it was said that this explanation which was there gave protection to such persons but now it has been removed and therefore no protection was left. It may cause some doubts and misapprehensions. But I shall frankly say how our mind works. We feel that in this matter the responsibility should be on the offender to prove his intentions were bona fide. As has been said before, many hon. Members thought that even this Bill would not prove effective. If that is the general feeling of the House, the House should certainly lend its support to the omission of this explanation because it throws the whole responsibility of proving the innocence on the offender.

I do not want to accuse anybody but good people are not prepared to come forward for giving evidence even in right cases. I can quite understand people not going to give evidence in wrong and fabricated cases; they should not. I do not think it is the practice in other countries, instead good people of the society offer themselves and welcome the opportunity to appear before the court in order that the wrong person may be punished. Here it has been exceedingly difficult to get good witnesses. Sometimes the police is criticised and condemned that it has its own dalals and regular witnesses who

come and appear before the courts. Either we want to be effective or do not want to be so. The House has to decide this question. If you want to be effective, heavens are not going to fall. It is a bailable offence; he can come out on bail and defend his case in the court and it is for the court to decide whether the man is right or wrong. It was felt that if we wanted to be really effective, we would have to cast this responsibility on the person against whom a chargesheet is brought forward.

Pandit Thakur Das Bhargava: So far as that person is concerned, the courts will be quite ineffective. Suppose you find a man has got good motive and good intention, even then conviction must follow. Courts cannot help him.

Shri Tyagi: I think to allay the misunderstandings, I should appeal to the Home Minister to agree to keep the explanation as it is, because it is not harmful at all.

Shri A. C. Guha: In the amending Bill there is no mention of "intention".

14 hrs.

Shri Naushir Bharucha: I was asking for the insertion of the words, "maliciously promotes." But will he at least accept the words, "whoever intentionally promotes."

Mr. Deputy-Speaker: Then the burden is changed. That would go against what the Home Minister has been arguing now.

Dr. Krishnaswami (Chingleput): It is the explanation.

Mr. Deputy-Speaker: That is a different thing. Shri Naushir Bharucha's amendment does change the stand of the Home Minister.

Pandit Thakur Das Bhargava: In the words, "attempts to promote", implicitly the intention must be proved. There is some ruling about it in the Bombay High Court.

Shri Naushir Bharucha: Some courts may not take that view.

Pandit Thakur Das Bhargava: The general grievances also come into it. The courts are helpless, and they hold the person guilty, if that provision continues to be there.

The Deputy Minister of Law (Shri Hajarnavis): How is the intention to be proved? It is not the subjective condition of mind. It is to be inferred as the natural, probable consequences of the act.

Shri Naushir Bharucha: That comes later on.

Shri A. C. Guha: Then there is no question of intention.

Mr. Deputy-Speaker: That should make no difference. As far as Shri Naushir Bharucha's point is concerned, if "intention" stands, the burden is on the prosecution and the court would first ask the prosecution to prove it.

Shri A. C. Guha: This question may be deferred. It may be taken up tomorrow, or at 5 O'clock today.

Mr. Deputy-Speaker: We have to take up the clause-by-clause consideration today.

Shri Tangamani: May I say a few words about the explanation?

Mr. Deputy-Speaker: Well, if the hon. Minister yields every time, I have no option!

Shri Lal Bahadur Shastri: I have given my views in the matter, and I still feel that if we really want to be effective, we will have to give up this explanation. But those hon. Members who do not agree with it will get another opportunity when the clauses are discussed. They can speak at that time.

Much has been said generally that the Bill is being brought at this time, keeping our eyes on the forthcoming

[Shri Lal Bahadur Shastri]

elections. I do not want to go into that aspect of the matter. But I do want to say that it is during the elections that political workers and political parties come into contact with millions of people. It is at that time very essential that communal or caste propaganda and other propaganda of that nature are not made. It is true that there can be propaganda made always. At the time of the elections however or just before the elections if, for the sake of winning the elections, we indulge in these things, we are unfair to the people as a whole. I do not say that we are absolutely faultless in this regard. Of one thing, of course, I have no doubt, and that is, in so far as fight against communalism is concerned, the Congress is by far the most superior organisation in the country. But in other matters, it is the Members of the Opposition who sometimes force its hands. For example, take casteism. The Members of the Opposition, I hope, will pardon me when I say that they have not got enough following in the country.

Shri Vajpayee: That is obvious. Otherwise we would not have been on this side.

Shri Lal Bahadur Shastri: Shri Vajpayee said so many things, but I do not know why he gets so much upset when I have to say something against his party and not against him. What happens is, in the constituencies where the Opposition finds itself in a weak position, it puts up a person belonging to a caste which has got a substantial population in that area.

An Hon. Member: The Congress Party also.

Shri Lal Bahadur Shastri: I have not denied it.

Mr. Deputy-Speaker: The other side has had the opportunity, when the Congress was accused. Now, it is this side. How can I stop that?

Shri Lal Bahadur Shastri: But we do not do it because we have support of other kinds in the country. We have the support of the people as a whole, and therefore it is possible for us to find a suitable candidate and to resist those candidates who belong to a particular caste or community. I was saying that the other parties being in a minority or with practically no following, seek every means to win over a particular constituency. It is therefore that I wanted to address this to Shri H. N. Mukerjee and his friends like those who sit on the other Benches; namely, to their creating a feeling of casteism and almost to some extent forcing our hands which is surely not good. In any case, I am quite sure that this measure is not going to impede or come in the way of any party or any organisation in so far as elections are concerned. But I am quite clear in my mind that the kind of propaganda which is being carried on at the present moment is really dangerous and it is being done only with a view to fight the party in power. If it is legitimately done, it is perfectly justifiable. If I show some handbills to Shri H. N. Mukerjee or to any Member of the Opposition, I am sure he will feel shocked; the kind of leaflets that have been printed and circulated even in Delhi. I cannot use words for this kind of notices that are circulated. We have seized them.

Shri Vajpayee: May I know whether action has been taken in regard to those notices?

Shri Lal Bahadur Shastri: Certainly action is being taken. He should know that all these leaflets have been confiscated and the persons concerned are being prosecuted. It will be very unfortunate if sober and sound Members like Shri Vajpayee do not see within their own parties what the individual members are doing. I do not say about his party; his party may be holding a particular opinion. But we should be honest within ourselves. I am prepared to be honest with myself and my party. The other parties who claim that their organisation

is open to all should be vigilant enough to see within themselves and within their parties. Every party has to be self-critical. We must be prepared to see our own failings, and my compliant is that generally we do not do it. Especially the parties which are in the Opposition do not do it. They are prepared to level charges against others, but they are not prepared to see what they or their own members are doing. I am sorry I have gone into this question, but I merely wanted to assure hon. Members that this Bill has nothing to do with the elections at all. But I would forcefully put it, that I am equally clear that if communal or caste or other propaganda is carried on during the coming months, it must be checked and it should be prevented.

There is a fear that it would not be properly implemented. Shri Tyagiji raised that question. He referred to the Rampur case. But Shri Tyagiji has to remember that the Rampur case must have taken place under the present section 153A of which he is somewhat enamoured, because he does not like the amendment. So it is not the Act or the law, but it is the proper implementation of it that is very important. I am almost certain that because in these cases it would be certain political persons against whom action might be taken, the district authorities will be very cautious, very careful and will do nothing which might prove wrong because they are more afraid of the Members of the Opposition than the Members of this party. (An Hon. Member: Question) (Interruption)

Mr. Deputy-Speaker: Order, order. If there is a contest here then they are afraid of every side or they are not afraid of any side.

Shri Lal Bahadur Shastri: I have no doubt that there will be no misuse and this will be used as discreetly as possible.

There were a few small points raised by Shri Vajpayee, and Shri Mukerjee and others. I shall just refer to them. Shri Vajpayee referred to the

holding of the Muslim Convention. Someone said that it was held with the support of the Government. Of course, the Government did not come into the picture, but it is true that the Congress organisation was consulted. But the hon. Member knows what views have been expressed in regard to some of the statements made in that convention by the Congress leaders as well as the Prime Minister himself.

As regards the Hindu Convention, I do not know if it is going to be held and when it is going to be held. In any case, if it is held in any State it will be for that State to do the needful in the matter. I personally do not know what reason could there be for holding a Hindu Convention. Even if for a moment I may accept that the majority is feeling hurt on any matter, well, but the majority has to realise that whatever is being done by the Government here or in the State legislatures is being done with their passive or active consent. And, when the majority is governing or ruling the country, I do not know what they are going to do in holding a Hindu Convention, and what kind of discussions they will hold there. My feeling is that instead of creating a good climate in the country they will be creating a very bad one. On the one hand you criticise the Muslim Convention and ask why it was held and on the other, the several organisations who criticised it are now coming forward to say that they will hold a Hindu Convention. Therefore, I said in Srinagar that I do not approve of this idea. But as to what action will be taken and whether any action will be taken, it will all depend on the situation as it then prevails; of course, if it is held in any State it will be for the State Government to take what action it deems fit.

Shri Vajpayee might have seen what Mr. Golwalker had to say recently in connection with the Punjab affairs. I was also myself surprised to read his statement. What he had said did create some flutter in the Hindu Mahasa-

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bha, I do not know whether it did so in the Jan Sangh.

Then, he also—I do not know whether I should go into that—referred to the Chief Minister of Madras having said that if any legislation had to be made against those who preached the division of the country or the formation or carving out of a separate independent State within India etc. Well, I am sorry, he has misinterpreted what the Chief Minister of Madras meant. I think the House will fully agree that those who preach or those who want to act in a manner which will divide the country further must be severely dealt with. Certainly, that kind of act or that kind of propaganda must not be tolerated, and Government will have either to legislate if necessary or take whatever action they deem fit. What the Chief Minister had said was that there is a party in his State which is indulging in that kind of activity, and I think he was quite fair when he said that as the elections are very near he wants to fight them on the political level and show it to the country and the State of Madras that that party did not command the confidence of the people of that State. I think instead of complimenting the Chief Minister Shri Vajpayee was unfortunately critical. I think the Chief Minister did the right thing. What he said was, if you want to legislate you may legislate but not at the present moment, so that it may not create a misunderstanding among them that they have been brushed aside in order that they are not able them that they have been brushed to fight the Congress in the forthcoming elections.

I have dealt with the Integration Committee. I shall not go into the question of the Muslim League of Kerala although it has been referred to a number of times. So that Shri Mukerjee will not get much angry I might only say that the Communist Party has been trying to woo the Muslim League for the last 20 to 25 years. During the last 10 or 15 years they have left no stone unturned to bring

round the Muslim League to their side.

Shri Indrajit Gupta (Calcutta-South West): You succeeded where we failed.

Shri Lal Bahadur Shastri: I do not think the Members of the Communist Party actually failed. They got their support, either moral or indirect support, when they formed their Government. So our difficulty is, of course I may be wrong—that when the Communist Party says that the Congress should dissociate itself from the Muslim League—of course, our policy has been made quite clear in this regard when the Congress President made a clear and unequivocal statement and the Prime Minister also said so—it really means that it will give an opportunity to Shri Hiren Mukerjee and to his colleagues—not Shri Tangamani—Shri Govindan Nair and others to bring it closer to them and create difficulties for the Kerala Government. Anyhow, I do not want to fall in the trap. I would, therefore, not say much on that.

श्री प्र० ना० सिंह (चन्दोली) : मुस्लिम लोग में कब तक आपकी दोस्ती चलेगी ?

श्री लाल बहादुर शास्त्री : उन दोस्ती के बारे में अपनी पालिसी बिल्कुल साफ कर दी है ।

Well, Sir, Shri Guha also said something about the Linguistic Minorities Commissioner. Some other points were also raised. I think it will take a long time if I go into them. About the point raised by Shri Guha I would merely like to say, that it is true and I am prepared to accept that the Linguistic Minorities Commissioner has not been very effective so far. My predecessor, the late Home Minister, in his own time, had written to the Chief Ministers of all the State Governments to see that the officers had met and spoke to him and he had held discussions with them—the recommendations of the Linguistic Minorities Commissioner should be given

effect to, carefully considered and as far as possible they should be implemented. During the last two or three months we have made further efforts to see that the reports of the Commissioner for Linguistic Minorities are taken into consideration by the State Governments in all seriousness and implemented. Things have considerably improved now and almost every Chief Minister and State Government has fully co-operated with the Commissioner for Linguistic Minorities. Yet, I do not say that I am fully satisfied with it. We will go ahead with the problems of the linguistic minorities with a view to solve them and with a view to help them. The recent meeting of the Chief Ministers has shown that the Government is very much in earnest about it.

Before I conclude, I might say that I entirely agree with the views expressed by the hon. Members of this House that it is not legislation which does the trick and, in fact, it is the general public opinion. In fact, no legislation can really be effective unless adequate public opinion is there to support it. So, it is much more important that we should strain ourselves to the best of our capacity to create the necessary public opinion in regard to these matters. If the necessary public opinion is created; I would be really happy if the provisions of this Bill are not enforced or the authorities do not get all opportunity to implement it.

I say that there can be no better opportunity for that than the coming 6, 7 or 8 months when the elections are going to be held. Some one has referred to the code of conduct. Again, code of conduct is more or less like a legislation. It is a legislation mutually agreed upon. I have learnt that some code of conduct was prepared in a particular State. Just after two or three days, I read the speech of a member of one of the parties in that State which was full of venom, poison, containing all kinds of charges. I do not know what kind of code of conduct has been framed in that State. So,

either you make a code of conduct or draft a legislation, the real effectiveness can come only when the Hon. Members of this House are with it and are prepared to lend their full support to it. Because, if the hon. Members of this House will create the necessary atmosphere and climate, I have no doubt that the whole country will adopt their views and will not act in a way which will create disharmony or disaffection among the people. I say that if we do not move in the right direction at the present moment, posterity will condemn us. So, it is high time that we realised our grave responsibilities and did everything possible to help the Government to effectively check these tendencies which are rather on the increase. I do hope that in these circumstances the House will give its unanimous support to this Bill.

Mr. Deputy-Speaker: I will put the circulation motion first. I was given to understand that some hon. Members are pressing for a division on that motion. So, I will take it up at 3 O'clock. Meanwhile, we will proceed with the next business.

14.24 hrs.

NEWSPAPER (PRICE AND PAGE) CONTINUANCE BILL

The Minister of Information and Broadcasting (Dr. Keekar): I beg to move:

"That the Bill to continue the Newspaper (Price and Page) Act, 1950, be taken into consideration."

The Newspaper (Price and Page) Act, which was passed by this House and the Rajya Sabha in 1950, resulted from the recommendations of the Press Commission. One of the important recommendations of the Press Commission was that there should be a price page schedule; that is to say, a relationship between the number of pages of a newspaper and its price in order to see that by unfair competition newspapers which are less ad-

[Dr Kesar]

vantageously placed are not crowded out or are not suppressed, and on the other hand, they are allowed to flourish, thereby creating the necessary atmosphere for all sorts of opinions to express themselves. I would not like here to give extracts from the Press Commission's report, but I would like to draw the attention of the House to the fact that the present Bill for continuance does not propose any change. It simply wants that the Act should continue, and it is only for that purpose that this Bill is being brought forward here today.

As we all know, this Bill was passed in September 1956. Since that time in order to see that the enactment of a schedule does not create any impression of unfair dealings on the part of the Government, because it concerns newspapers, an elaborate procedure was laid down and carried out in order to consult newspaper opinion. The details of that were laid before this House in many discussions that took place here, both during the budget debate and the later debates that took place on the report of the Press Commission.

The Bill that was passed and according to which we hoped to promulgate a schedule was held up for some time mainly due to a decision of the Supreme Court, which invalidated the recommendations of the wage committee that had been appointed under the Working Journalists Act. Certain observations made in the judgment of the court made us feel that the work of the wage committee should first be implemented thoroughly before we take up this other question because, according to the views expressed there, both the decisions are likely to affect from the economic point of view working of newspapers and, therefore, we felt that until that decision has been implemented and has been working for some time it is better for us to wait and see the result therefrom. That is the reason why certain delay

took place in taking up the question of promulgating the first schedule.

The first draft Price and Page Order was published in April 1960 for consideration and views of newspapers. After discussions with newspapers this first draft was changed in order to see that the largest possible measure of unanimity is arrived at and a second modified order was also issued. The final order was published in October 1960. This final order was challenged in a writ petition in the Supreme Court in December 1960 by a newspaper and the Supreme Court granted stay order on the 5th December 1960. At the time of the stay order there was the question that as the order concerned one newspaper, would it be advisable to carry out the order regarding the other newspapers also.

On careful consideration we felt that if the order is carried out regarding other papers and later if the decision is adverse, it will create a very embarrassing situation. Therefore it was decided to suspend the enforcement of the Schedule until a definite decision of the Court takes place.

The main difficulty has been that the Act was passed for five years. We thought that during this period we will be able to go through all the procedures and will, at the same time, be able to get an experience of a year or two to see how the Price-Page Schedule functions and to what extent the newspapers are benefited by it. Unfortunately, all these things mentioned in the Schedule could not be brought into force. We waited to see whether after the decision of the Court any modification of the Act or the Order was necessary. That is why we had been waiting and delayed coming to the House for any change or with any proposal for the continuation of the Act. We felt that we need not have two different pieces of legislation and that we could have the continuation as also the modification, if necessary, done

at the same time. Unfortunately, the Supreme Court has not given its decision yet on this question. We are waiting for the decision. In the meantime the Act will expire within a week and if the Act expires, a judgment will become infructuous, in fact, probably unnecessary. Therefore the Act has to be kept alive until the decision of the Court takes place. As far as we are concerned, we feel that from whatever information and data that we have collected and from discussions that have taken place, the draft Schedule that we had prepared would definitely have served and benefited newspapers, more especially in the medium and lower scale. But all these questions can only be definitely settled after a Schedule has been working for some time. In order to enable us to have the Schedule and also to see what order the Supreme Court passes about it, it is necessary that the Act be kept alive. That is the main reason why today this legislation has been brought before Parliament.

There is only one clause in the Bill, namely, that the Act should continue. As this matter is sub judice before the Supreme Court, I do not think there need be much argument about the pros and cons of the case. I would only submit to the House that in the present circumstances we have to pass the Bill as it is. I hope the House will pass it as quickly as possible because I do not see any particular necessity for arguments about the merits of the case at this time.

Sir, with these words I move.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to continue the Newspaper (Price and Page) Act, 1936, be taken into consideration."

Shrimati Parvathi Krishnan (Coimbatore): Mr. Deputy-Speaker, Sir, I was listening very carefully to the speech of the hon. Minister and was hoping that he would throw some light

on and inform us as to whether further discussions have been taking place between the Government and the various representatives of the newspaper industry, the working journalists, the various editors and so on to find out whether even when this matter is pending before the Supreme Court it is possible to come to some decision or understanding which would help us in bringing this Act into force earlier and which might even enable the case to be withdrawn from the Supreme Court. We do know that such things are possible and if the intention is there it can be done. We do know how many times cases are settled out of court. But we have seen how the Government has been very dilatory in its whole approach to this matter of introducing the Price-Page Schedule which, as the hon. Minister said, was intended to protect the smaller and medium-sized newspapers. As has been stated by the hon. Minister earlier in his speeches and also by the hon. Law Minister when he inaugurated the conference of the Madras Union of Journalists, the intention was that in the interest of the working of a democracy, as we have in our country, there should be an attempt to see that the widest possible measures are taken to enable the widest circulation of ideas and to prevent monopolies from growing in the newspaper world so that the widest dissemination of views could take place. When this is the case, it took two years for the Government to come forward with a Bill in which they were trying to give effect to certain recommendations of the Press Commission—the Report of the Press Commission was before us as early as 1954—and another four years to issue this order. Again, the delay is there. When there is resistance to the advance of democracy, when there is resistance on the part of certain monopoly interests to curbs that might be put on the growth of monopolies, the recourse to the Supreme Court has taken place. This delay to my mind is certainly detrimental to the interests of the newspaper

[Shrimati Parvathi Krishnan]

world and of the newspaper reading public.

There was a great deal of opposition to the draft order, to which the hon. Minister has referred, even at the time when it was published. There was opposition to it from all sides. It was not only one section of the newspaper world that opposed it. We do know that there was hardly any section which had anything to say in favour of it. In that case, why is it that at that time more care was not taken in consulting every possible opinion and in trying to arrive at a conclusion or a decision which would have been more or less a unanimous one? I would like to know whether such care was taken and whether the Government really took it seriously to implement this particular order.

The object of the Price-Page Schedule, as suggested by the Press Commission, was to give some form of protection to smaller newspapers. The Press Commission's Report says:

"The Price-Page Schedule should prescribe not only the maximum number of pages that could be sold at a particular price but also the minimum number that must be offered."

Then it goes on to say how this would certainly help in protecting the smaller and the medium-sized newspapers and in competing with the larger newspapers and the big chains that existed in the country today. If that aim was to be achieved in a very short time, I think, the hon. Minister could have done it if the intention was there. My feeling and my complaint is that the responsibility for this delay definitely lies with the Government. While it is necessary to extend this Act in order to bring it into force as soon as it is possible, the Government should not be allowed to escape its liability for the delay that has been there in implementing one of the important recommendations of the Press Commission.

One of the things that the hon. Prime Minister has himself often attacked is that the newspapers today are tending to become an industry and the role that a newspaper can play in the political and social life of our country is not being fulfilled. It is in the interest of the development of our democracy and in the interest of building up a free India that we should see that newspapers do play that role which they are called upon to play in any progressive country, in any country in this atomic age.

The recommendation with regard to restricting the amount of space that may be allotted to advertisements *vis-a-vis* the amount of space that is given to news and editorial comments in a newspaper has also not been implemented speedily enough. Only recently, the Federation of Working Journalists has gone into figures of the Press Commission recommendation of 40 per cent is not being maintained and the protection that is necessary for the reader and for the smaller papers is also not given. For instance, the figures that they have given, taking three newspapers as examples in the Madras State in 1960, in March, are as follows: Two newspapers, priced at 10 naye paise, published 2.37 pages of advertisement in 8.5 pages per day during the quarter ended March 31, 1960; 2.85 pages in 9.5 pages per day as against 5.77 pages of advertisements in 11.32 pages per day published by newspapers priced at 13 naye paise.

This question of advertisement is so closely linked with circulation and unless the safeguard is there for the smaller newspapers, naturally, it is very difficult for them to compete with the monopoly newspapers that are there. Because, with those who have been in existence for a very longer time and whose cost of production is lower because of their large circulation, who have also got vast reserves, obviously it is very difficult for the smaller papers to

compete. Therefore, in supporting the Bill as it stands, that is, asking for extension of time, and for having this Act extended in order to see that it is still there upon the statute-book, I would once again put before the Minister this criticism, which is a very legitimate criticism and a criticism that is there today, and I feel that he will take a very serious note of it and see what steps can be taken in order to see that a decision is arrived at an early date. I also feel that he would also see whether through the process of negotiation and talking with all the interests that are concerned in this matter, it is not possible for the Government to see that the whole question is speeded up and action is taken early in order that we can protect the new-comers in the press world from competition—unfair competition—that they are having to face today, from the monopoly press.

Shri Ansar Harvanj (Fatehpur): Mr. Deputy-Speaker, it was a great day in the history of Indian journalism when the Press Commission was appointed. I am glad to say that it came out with a beautiful report and with very useful recommendations. But, I wish if I could say the same thing about the Ministry of Information and Broadcasting and the way in which the recommendations of the Commission have been given effect to. I regret to point out that though most of the recommendations have been implemented, their implementation has been halting and hesitant. One of the recommendations of the Commission was to fight the monopoly of the Press. Those days are gone when the Indian Press used to be a mission. The days of Moti Lal Ghosh, Surendra Nath Banerjee and Benjamin Horniman are gone. Today, the newspaper industry has become a real industry. If we go into the record of this industry, we will find that today, the industry is controlled by three of the biggest cartels in this country. There is the Birla group which treats newspapers in the same way as it treats its textile industry, its banking industry, its insurance in-

dustry, its collieries, its mining industry. Then there is the Dalmia Jain group which owns a number of chain papers. There is the third group of Goenkas. If the chain of these groups is not broken, it is our fear that all the smaller papers will be swallowed by these three groups. Then, public opinion in this country will be controlled by three big businessmen and the future of democracy in this country will be doomed.

We know it very well and we quite appreciate the difficulties of the Minister of Information and Broadcasting that the Price-Page Schedule has not yet been implemented because these press barons rushed to the Supreme Court. We do not and we have no intention to question the supremacy of the Supreme Court. We have got to uphold the authority and honour of the Supreme Court. At the same time, the legislative authority and the administrative authority in this country have got to see that we do not give an opportunity to the people to rush to the Supreme Court as just dilatory tactics. We ought to have got legislation that there is no possibility of their rushing to the Supreme Court and even if they rushed there, the Honourable Judges of the Supreme Court ought to have given a decision without delay and that ought to have been implemented. Therefore, I hope and trust, while we quite appreciate the difficulties of the Ministry in implementing this important legislation, something would be done immediately and this would be implemented. Years have passed and it has not been implemented today. There is great difficulty for the smaller newspapers. We find it everyday that smaller newspapers, especially from the States and from places like Lucknow, Allahabad, Kanpur and Banaras and other places, are feeling great difficulty in competition with papers of the metropolitan cities like Bombay, Calcutta and Delhi. With the development of air transport in this country, they are swallowing the circulation of these newspapers. Smaller newspapers are almost dying and if

[Shri Ansar Harvani]

immediately penicillin injection is not given, the day is not far off when most of them will die. I think that we should not wait for the decision of the Supreme Court and sit idle. We have got to take some step to save the smaller newspapers. I am sure the hon. Minister for Information and Broadcasting is as much alive as myself or any Member of this House either on this side or that side, to the need for a very virile press in this country. He is as much alive and knows it very well that the future of democracy and the future of Parliament is doomed if we do not have a healthy, strong and free press. If the press is handed over into the hands of a few big industrialists, that day is not far off when Parliament is also to be controlled by these big industrialists and big people. That will be a day of doom for this country and it will be a very unhappy day.

In conclusion, I hope and trust that some immediate steps would be taken to see that the Price page Schedule is implemented.

Shri D. C. Sharma (Gurdaspur): Mr. Deputy-Speaker, I do not think I am going to make a speech on this Bill, because, what I am going to say can hardly be called a speech. It is almost a prayer, it is almost an invocation of the blessings of some superior powers if not of supernatural powers, because we are trying to give life to something whose life has been hanging in the balance for such a long time. I do not know whether this product of the Information and Broadcasting Ministry is going to live or is going to die. I do not know whether this Bill is going to have any effect or not. Still like a good brahmin, I want to pray for the long life of this Bill when it gets out of the clutches of those forces which do not wish it well or which do not want its long life.

I do not want to add much to what my friends have said about this Bill. But, I can say this much that the newspapers in my country are now,

so to say, the workers' educational institutions, evening colleges, continuation classes. They are the only schools and universities and colleges to which the common man goes and they are the only sources from which the average voter in this country, the educated persons in this country, or the literate persons in this country, derive their information or derive their desire or incentive for embarking on a particular course of action. Therefore, the newspapers are not only the mental dopes; the newspapers are incentives to action. I believe that if our nascent democracy is to live and flourish, it is necessary that we should have the kind of newspapers that we want and not the kind of newspapers that these press barons and press magnates are going to supply. When I look at the press landscape in my country now, I do not feel very happy. When I look at the newspapers, and see what are called metropolitan newspapers or provincial newspapers or regional newspapers or district newspapers, I do not feel very satisfied, because, as you know it very well, and as every Member of the House knows it very well, our journalism in this country at all levels has taken a very unfortunate turn. It has become overtendentious; it has become over-propagandist; it has become over-personal. It has lost that objectivity which it used to have at one time. I think my hon. friend Shri Ansar Harvani who is himself a good journalist and who has strayed into the House of the People has told you about the large combines which exist in this country. I think it is not only the big combines that are exercising their strangle-hold on the newspaper industry but it is also the small men who are controlling the newspapers.

In district towns, the newspaper is being controlled. In provincial towns, it is being controlled. Therefore, as the moon sometimes gets eclipsed because it is going to be devoured by some demon, similarly, our press is being devoured by some demon, and

that is the demon, not of the business interests, not of the commercial interests so much—of course, they are also there—as of party interest or political interest or of that kind of interest which does not care more for national interests than for personal interests.

All kinds of newspapers are there in this country. Some Newspapers serve this type of person or that type of person, this type of interest or that type of interest.

Therefore, we have got to see to it that we have a healthy growth of journalism in this country, so that our democracy is able to avoid those pitfalls to which it has fallen a prey in some other countries. Can we do it? I think we may be able to do it; I think we may not be able to do it. Why can we not do it? We cannot do it because there is this plague of commercialism passing over the newspaper industry all over the world. Will India remain free from this contagion? I doubt it very much if we shall be able to escape this taint which is there; all the same, we should try. I believe it is for that reason that this Bill born under a very evil star was brought into being. It was brought forward so that the competition should be equalised, as the hon. Minister of Information and Broadcasting said in his opening speech at the time of moving for consideration, so that the newspapers do not suffer from excessive competition with each other. It was brought so that the small newspaper can have their day. What do I find? I find that it is an age of small countries, small interests, small co-operatives and small men; and it is also the age of small newspapers. I believe that the small newspaper has got to be saved against all those elements which are trying to bring about its death. This Bill was brought forward from that point of view.

The Daily Newspaper (Price and Page) Order was issued last year, and thanks to my hon. friend Shri Ansar Harvani, I have got it here with me,

and in it, two categories of newspapers are given, namely the daily newspapers published on six days a week, and then the weekly editions of daily newspapers. I think these are the two categories which have been given, and the number of pages is also given. I believe that when this Bill comes into force, this order also will be revised. This order was issued, I think, in 1960.

Shri A. M. Tariq (Jammu and Kashmir): We cannot discuss this order, because this order is already before the Supreme Court.

Shri D. C. Sharma: I know it very well. I never thought that a person who had never been near a law court would tell me about the Supreme Court.

Shri A. M. Tariq: It is not a question of arguing any law point, but it is a question of what is published in the newspapers; it is a question of information or news published in the newspapers.

Mr. Deputy-Speaker: Order, order. There appears to be some internal dispute between the two Members who are neighbours. They ought to settle it outside. Now, let us proceed with the Bill here.

Shri Tyagi (Dehra Dun): It is Hindu-Muslim trouble.

Shri D. C. Sharma: Sir, you are perfectly right. There is a lot of trouble between this gentleman who belongs to Kashmir and us who belong to Kashmir as well as the old Punjab.

I was submitting very respectfully that when this Bill becomes law, this order also will have to be revised, and of course, it should be revised in such a way that we categorise the newspapers as follows, namely metropolitan newspapers, provincial newspapers, regional newspapers and district newspapers.

I welcome this Bill because I know that this Bill has been brought into being in order to serve the interests of democracy. As you know it very

[Shri D. C. Sharma]

well, the newspaper combines are playing havoc in some countries. Recently, in the U.K., they appointed a commission, because some of the newspapers changed hands, and they changed hands not on account of any commonness of policy but on account of financial considerations. There was a lot of trouble in the U.K. on account of that, and the Prime Minister of the U.K. and the House of Commons had to take notice of that trouble, and they appointed a commission to go into the whole question of the newspaper combines. I dread to think of that day when the combines in our country will come to be so powerful as they are in U.K. or other countries of the world. But I believe that we should do our level best to put off that day, to avoid that kind of development in our journalism. Therefore, I would request the hon. Minister to see to it that when this Bill becomes law....

Dr. Keskar: It is already law.

Shri D. C. Sharma: something is done so that all types of newspapers are brought under the operation of the law.

I think that this Bill represents very good wishes, and I hope that these wishes will not remain pious wishes but they will become actualities and they will serve the realities of the situation as they prevail in the newspaper industry today.

Dr. Keskar: I do not think I need have to say much, because hon. Members have, first of all, raised many questions regarding the Press Commission's recommendations and other things, we get very periodical discussions regarding the Press Commission and its recommendations and why they were not being implemented.

Of course, I plead guilty to the charge of not having been able to implement some recommendations, or of having been able to implement some

but not having been able to carry them out completely, or carry out all of them completely, due to various difficulties. But, confining myself to the Bill, I might say that regarding Shrimati Parvathi Krishnan's asking why we had not tried to bring about unanimity amongst the newspapers so that the case before the Supreme Court was withdrawn. I have not got her persuasive powers so that I can persuade all newspapers to come to one opinion and withdraw the case.

Shrimati Parvathi Krishnan: I asked whether any such attempts had been made, and what has been the result.

15 hrs.

Dr. Keskar: I may inform her that when this schedule was drafted—she had referred to the schedule being passed; she is probably referring to the first draft that was issued. After that we had two separate drafts, and we did bring about, I would not say unanimity, but an overwhelming opinion of the newspapers to our side, and there are very few papers which are opposed to it. But we cannot bring about unanimity. Newspapers are meant to express opinions, and if some newspapers differ from me, it is very difficult for me to make them come round to my opinion. I wish they had come, and we had not all this trouble.

As for delay, there might be delay on our part and I plead guilty, but that delay in many cases was purposely done because we did not want in this matter concerning newspapers to take any steps which would bring the criticism that we had been trying to ride rough shod over the press. We have been very cautious and have proceeded slowly in this matter, but I do not think we should prefer to delay any further because we do not want to say, and I hope the Members will also not say, that the Supreme Court is making delay. That would not be a proper thing for us to say here.

So, we would like to bring about unanimity or near-unanimity if we can, but I am sorry to say that is not possible, and that is the reason for this case being referred to the Supreme Court. However, I can say this, that by and large even now the overwhelming body of newspapers is with us. Therefore, I hope that when the decision of the Court becomes known, we will be able to implement this thing as quickly as possible.

Shri Harvani was mentioning, that this should be expedited. As far it lies in our power, we will try to expedite it, but I cannot call upon the Supreme Court to expedite it. That would be something which would bring you and me both under contempt of court, and I think that should not be our intention also. But the moment the decision of the Court is given, I might assure him that we will try to implement the schedule as quickly as possible.

As far as the Bill is concerned, it is very inoffensive, non-controversial. It wants to keep the Act alive. Regarding other matters raised, certainly we can have a discussion separately. I welcome any criticism or suggestion that the Members might have to offer.

I move that the Bill be taken into consideration.

Mr. Deputy-Speaker: The question is:

"That the Bill to continue the Newspaper (Price and Page) Act, 1956, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments to this Bill.

The question is:

"That Clauses 1 and 2, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clauses 1 and 2, the Enacting Formula and the Title were added to the Bill.

Dr. Keskar: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

15.04 hrs.

INDIAN PENAL CODE (AMENDMENT) BILL—contd.

Mr. Deputy-Speaker: The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th March, 1962."

Those in favour will kindly say "Aye".

Some Hon. Members: Aye.

Mr. Deputy-Speaker: Those against will kindly say "No".

Some Hon. Members: No.

Mr. Deputy-Speaker: The Noes have it.

Shri Vajpayee (Balrampur): The Ayes have it.

Mr. Deputy-Speaker: Let the lobbies be cleared.

Every hon. Member to be in his own seat. I am calling a division. Both hands might be kept near the buttons. No complaint about the wrong use of those buttons. Every hon. Member should be careful now. Unless the button has not worked, I should not have any other grievance.

The Lok Sabha then divided.

Mr. Deputy-Speaker: Any hon. Member whose machine has not worked? Those for Noes first.

The Minister of Parliamentary Affairs (Shri Satya Narain Sinha) rose—

Shri D. C. Mallick (Dhanbad) rose—

Mr. Deputy-Speaker: Two for Noes. Those for Ayes.

Shri B. Das Gupta (Purulia) rose—

Mr. Deputy-Speaker: The machine did not work?

Shri Jagdish Awasthi (Bilhaur): I am for Ayes.

Shri Jagdish Awasthi: Yes.

Mr. Deputy-Speaker: Two for Ayes.

Division No. 5]

AYES

15.08 hrs.]

Amjad Ali, Shr
Assar, Shri
Awasthi, Shri Jagdish
Bharucha, Shri Naushir
Das Gupta, Shri B.
Deo, Shri P. K.
Dige, Shri

Ghosal, Shri Aurobindo
Godsora, Shri S. C.
Hynniewta, Shri
Katti, Shri D. A.
Krishnaswami, Dr.
Majhi, Shri R. C.
Mullick, Shri B. C.

Patil, Shri Balasaheb
Ranga, Shri
Rungsung Suisa, Shri
Singh Shri L. Achaw
Singh, Shri P. N.
Soren, Shri Debi
Sugandhi, Shri
Vaipayee, Shri

NOES

Abdul Latif, Shri
Ayyakannu, Shri
Babunath Singh, Shri
Balmiki, Shri
Banerji, Shri P. B.
Basappa, Shri
Bhakt Darshan Shri
Bidari, Shri
Bist, Shri J. B. S.
Biswas, Shri Bholanath
Chandak, Shri
Chaturvedi, Shri
Chettiar, Shri Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Dasappa, Shri
Datar, Shri
Daulta, Shri P. S.
Deb, Shri N. M.
Desai, Shri Morarji
Dube, Shri Mulchand
Dwivedi, Shri M. L.
Elayaperumal, Shri
Ganapathy, Shri
Gautam, Shri C. D.
Ghosh, Shri M. K.
Hajarnavis, Shri
Harvani, Shri Ansar
Hanada, Shri Subodh
Hem Raj, Shri
Jedha, Shri G. K.
Jhunjhunwala, Shri
Jinachandran, Shri
Joshi, Shri A. C.
Karamarkar, Shri
Kasi Ram, Shri V.
Kachwal, Shri
Koskar, Dr.
Khan Shri Shah Nawaz

Lachman Singh, Shri
Maiti, Shri N. B.
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Mallik, Shri D. C.
Mandal, Shri J.
Mandal, Dr. Pashupati
Maniyangadan, Shri
Mehta, Shrimati Krishana
Mishra, Shri Bibhuti
Mohammad Akbar, Shaikh
Mohideen, Shri Gueam
Muniswamy, Shri N. R.
Musafir, Giani G. S.
Nadar, Shri Thanulingam
Nair, Shri C. K.
Nair, Shri Kuttikrishnan
Nallakoya, Shri
Narasimhan, Shri
Nathwani, Shri
Nayar, Dr. Sushila
Negi, Shri Nek Ram
Nehru, Shrimati Uma
Oza, Shri
Padam Dev, Shri
Palchoudhuri, Shrimati Ila
Parmar, Shri Deen Bandhu
Patel, Shri P. R.
Prabhakar, Shri Naval
Raghubir Sahai, Shri
Ram Shanker Lal, Shri
Ram Subhag Singh, Dr.
Ramananda Tirtha, Swam.
Ramaswamy, Shri S. V.
Ramaswamy, Shri K. S.
Ramsul, Shri S. N.
Ranbir Singh, Ch.
Rane, Shri

Rao, Shri Thirumala
Reddy, Shri Rami
Roy, Shri Bishwanath
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Samanta, Shri S. C.
Sankarapandian, Shri
Sarma, Shri A. T.
Selku, Shri
Sen, Shri A. K.
Shah, Shrimati Jayaben
Shankaraiya, Shri
Sharma, Shri D. C.
Shastri, Shri Lal Bahadur
Shivananjappa, Shri
Shree Narayan Das, Shri
Siddananjappa, Shri
Singh, Shri D. N.
Sinha, Shri Anirudh
Sinha Shri B. P.
Sinha, Shri Jhulan
Sinha, Shri Satya Narayan
Siva, Dr. Ganadharma
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sultan, Shrimati Maimona
Sumat Prasad, Shri
Swaran Singh, Sardar
Thimmaiah, Shri
Tiwari Shri R. S.
Tiwari, Pandit D. N.
Tula Ram, Shri
Tyagi, Shri
Uike, Shri
Upadhyaya, Shri Shiva Datt
Vyas, Shri R. C.
Wadiwa, Shri
Wasnik, Shri Balakrishna
Wodeyar, Shri

Mr. Deputy-Speaker: The result is: Ayes 22; Noes 116

The motion was negatived

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Indian Penal Code, be taken into consideration."

The motion was adopted.

Clause 2.—(Substitution of new section for section 153A)

Mr. Deputy-Speaker: We shall now take up clause 2.

Shri Naushir Bharucha (East Khandesh): Sir, I was listening very attentively to the exposition of the subject by the hon. Home Minister....

Mr. Deputy-Speaker: On which amendment is the hon. Member speaking?

Shri Naushir Bharucha: Not on any amendment but generally on clause 2.

Mr. Deputy-Speaker: Let us have amendments first, if there are any. Is there any hon. Member who wants to move any amendment to clause 2?

There is none. **Shri Bharucha.**

Shri Tangamani (Madurai): Sir, there is an amendment, amendment No. 15 standing in the name of **Shri Brij Narayan Brijesh**. The hon. Member is not present here. I had given notice of an amendment but it was too late yesterday. Because this amendment is there....

Mr. Deputy-Speaker: The hon. Member can speak on the clause generally but I cannot allow him to adopt the amendment of another hon. Member as his own.

Shri Naushir Bharucha: Sir, I was listening attentively to what the hon. Minister in charge of the Bill was saying in connection with clause 2. To my mind it appears that this Bill should not be passed because it will have repercussions which this House, at the present moment, does not foresee. The crux of the situation is this.

Is it the intention of this House, in the first place, as a matter of policy to make criminal intention, *mens rea*, guilty mind, an ingredient of the offence or not? It is a question of policy. If they say that they do not want the guilty mind to be an ingredient of the offence, it is perfectly within the sphere of this House to say so. But the House can say, 'No, we want that intention should be an ingredient of the offence'; and if the intention is not there that offence is not committed.

Up till now I have not been able to understand what exactly the Government wants to do; whether they want to make intention an ingredient or whether they do not want to make it. The hon. Minister was not very specific or clear about this point.

The Minister of Law (**Shri A. K. Sen**): Section 81 of the I.P.C. is there.

Shri Naushir Bharucha: I thought he would explain that. There was no pronouncement of the House as to whether it wants it as a matter of policy. I submit that we should carefully consider both the aspects.

Let us assume that the House does not desire that intention should be an ingredient of the offence. What is the result? The definite language of the section, as it stands, would mean that if, as a matter of fact, any feelings of enmity and hatred between linguistic groups is created, irrespective of whether it was the intention of the person who made the speech or made the particular statement, then the offence stands committed. Now, I ask this House to consider what it would mean in actual practice.

Supposing I am a champion of the Hindi language and I go to Madras and say that Hindi must be encouraged and that some Hindi schools should be opened there and people should be taught Hindi, immediately, there will be any number of communities which will entertain a feeling of

[Shri Naushir Bharucha]

enmity. That is a fact. Entertainment of a feeling of enmity in the minds of the community is as much a question of fact as, for example.....

Mr. Deputy-Speaker: The Law Minister has said that section 81 of the Indian Penal Code is there and all sections are subject to that.

Shri A. K. Sen: The hon. Member is a lawyer.

Mr. Deputy-Speaker: He knows it very well and, therefore, I am drawing his attention to it.

Shri Naushir Bharucha: My submission is that if the language of the section is clear—as it seems to be very clear—then the court has to determine this issue whether the state of feeling of enmity was created or not. That is a question of fact. If it was created, then, it is immaterial whether the particular person by whose speech such a feeling was generated intended it or did not intend it. That becomes totally immaterial. And, my submission is that if a clause is very explicit, then, the court will not seek the aid of other sections in its interpretation.

Mr. Deputy-Speaker: Section 81 says:

"Nothing is an offence merely by reason of its being done with the knowledge that it is likely to cause harm, if it be done without any criminal intention to cause harm....."

Shri Tyagi (Dehra Dun): So, it is practically the same as the Explanation.

Mr. Deputy-Speaker:

"and in good faith for the purpose of preventing or avoiding other harm to person or property."

Shri Naushir Bharucha: I shall explain. My difficulty is this. If we say that nothing is an offence unless

it is done with a particular intent and later on if I make it very explicit that under these circumstances it will be an offence, whether intended or not, then, you have got to reconcile the two....

Mr. Deputy-Speaker: The provisions of section 81 would apply to all section of the Indian Penal Code that are here or that might later on be enacted unless it is said that 'Notwithstanding what is contained in Section 81....'.

Shri Tyagi: Perhaps the force of this section is mandatory while in the Explanation discretion is there.

Mr. Deputy-Speaker: The Explanation would apply to that particular section only. But this applies to all the sections that are there in the Indian Penal Code.

Shri Naushir Bharucha: Notwithstanding the language of the other section which is clear?

Mr. Deputy-Speaker: It is a general section. That is my opinion. I am not as good an authority as the hon. Member himself.

Shri Naushir Bharucha: It might be applicable if intention is not excluded by the more specific language of a particular section, my submission here is, it is specifically excluded. It is a question of interpretation. If it is as the hon. Law Minister says I will be very happy. But my feelings are that if it were so, then, there would have been no need whatsoever for putting an Explanation to the existing Section 153A of the Indian Penal Code.

The second point is this. The second part of it is—

"Whoever—

commits an act which is prejudicial to the maintenance of harmony between different religious, racial or language groups

or castes or communities and which disturbs or is likely to disturb the public tranquillity;

It is ordinarily presumed that a man intends the consequences of his action. Certain natural consequences flow from a particular act and the law will normally presume that a man had the intention of having those consequences flowing from that particular act. Here it is a very wide thing.

"Whoever commits any act which is prejudicial to the maintenance of harmony between different religious, racial or language groups...."

It is assuming that harmony prevails. As a matter of fact, harmony may not prevail. Particularly, at times of tension, even the slightest reasonable thing said by one party may disturb the equilibrium and harmony. I want to ask from the hon. Minister this. Supposing I make a speech knowing that it is likely that certain consequences might flow from it, though the speech is not made with the object of disturbing communal harmony but with the object of getting something done or getting grievances redressed or for pressing a point of view at the time of election, what will be the result? My hon. friend the Law Minister knows that there are bound to be keen feelings on language issues and every speech on language, however sensible it may be is bound to disturb the so-called communal harmony. Then, it will be argued that the speaker is presumed to know the consequences of his action and he knows that communal harmony would be disturbed, and therefore he is guilty under clause 2.

My submission is this. We are expecting that our purpose will be served with this Explanation to Section 153A added at the end. It is desirable to have this Explanation that it does not amount to an offence within the meaning of this section if it is done without malicious intention.

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It is not merely intention. It is malicious intention. Also it says:

"with an honest view to their removal, matters which are producing or have a tendency to produce feelings of enmity or hatred between different classes.."

In other words, this explanation enlarges the liberty of the speaker so that he can speak knowing that certain consequences would follow which would disturb communal harmony but which speech it is necessary to make in order to have certain grievances removed. Section 81 and Explanation to 153A two are not the same. Protection given by section 81 is not the same as protection given by the explanation to the existing section 153A. Therefore, it is a question of policy for the House to decide. You may want that we should leave it at that in which case, very respectfully, I submit that it will be difficult for people to carry on their election campaign and also for the Press to write for or against any controversial topics. When you write for or against, you are bound to disturb communal harmony even though you do not intend. If you have this Explanation, people will have a weapon to get their grievance redressed. How can I get a grievance redressed unless I draw pointed attention to that grievance? Is it not our experience in daily life, whichever side you may take in a controversy the other side is bound to flare up? The court will say: you are guilty because you are presumed to have known the consequence of your act. It is a natural consequence, that is the disturbance of communal harmony, at a time particularly when the atmosphere is strained as in the case of elections. Therefore, some sort of an explanation is necessary or the word malicious or intentionally which would import malicious intention should be there. Unless that is included I do not think anybody will be safe.

Shri Tangamani: Mr. Deputy Speaker, I would like to refer to two

[Shri Tangamani]

points in clause 2, although those points have been covered by many hon. Members. I rely upon certain observations made by the higher courts of the country to the explanation, namely, that it does not amount to an offence within the meaning of section to point out without malicious intention and with an honest view to their removal, matters which are producing or have a tendency to produce feelings of enmity or hatred between different citizens of India. This explanation has been commented upon by some High Courts and also by the judicial committee of the Privy Council. In the case of *Annie Besant versus Attorney General of Madras* which is reported in 43 Madras 146, the judicial committee said: about this explanation:

"(It is) a delicate balancing of two important public considerations....."

It mentions several other things and they also say:

"In applying these balancing principles it is inevitable that different minds may come to different results, one mind attaching more weight to the consideration of freedom of argument and the other to the preservation of law and order and harmony."

I do not think that any better explanation could be given to this explanation that these words. In a more recent case of 1942, *Banomall Maharana*, reported in 22 Pat 48, they say:

"This section is never intended to apply to case of an honest agitator whose primary object is to secure redress of certain wrongs, real or feigned and who is not actuated by the base mentality of a mere mischief monger."

I can go on elaborating this point by reference to the highest tribunal in this country. I remember that in 1931 the Bombay High Court dealt with it a great deal. When *Maniben*

Kala was prosecuted under 153-A for reading out a particular declaration while observing the May Day. This declaration dealt with the unity of India, unity of the Indian working class and working class of the world. Then they said that the working class will have to rally against the exploiters on a world basis. This is more or less based on that manifesto. This was discussed in great detail. Recently, the Press Laws Enquiry Committee stated that a second explanation should be added to 153-A. They say that it does not amount to an offence under this section to advocate a change in the social or economic order provided that any such advocacy is not intended or likely to lead to disaster or to the commission of offences. I am mentioning this to show that the trend of public opinion and the views of tribunals in this country as also the Press Laws Enquiry Committee is to add more explanations to this. But there is absolutely no justification for removing this explanation. I am aware of this saving section 81. Section 153-A is more or less synonymous with sedition. The question arose whether this also was part of sedition and ultimately they thought that it should come only under this chapter namely, preservation of public order and tranquillity. In the name of public order and tranquillity, it may be used to victimise people for expressing opinions which may in the last analysis go against the Ruling Party. I request the hon. Minister to consider the whole question and see that the explanation in some other form is there. I do not say that we should include this particular explanation.

My second point is about including language alone with religion. I do not think that language can be put on a part with religious animosity. We have accepted the principle of linguistic provinces and naturally every linguistic group feels that his or her language is superior to the other

language. They are entitled to have their view. You will be surprised that a Tamilian thinks that his language is superior to all the other languages in the country. He is entitled to have that view. He says that his language has not at all been corrupted by Sanskrit. It will be attacking another language like Sanskrit. For emphasising the greatness of his language, he may say something which may be against another language. Naturally, people who love Sanskrit will also take objection to this. I am only giving this as an instance. A Tamil pandit will pride himself saying that he is able to speak Tamil with a mixture of ten per cent. Sanskrit; he will only refer to the Tamil literature which has no mixture of Sanskrit at all. We can say that in the last analysis the best in Tamil should also be made available in other languages. But his love for his language is such.

Mr. Deputy-Speaker: The discussion in excess quantity would become passion:

Shri Tangamani: Excessive quantity may become passion. Are we now penalising people for having love of their language?

Mr Deputy-Speaker: Where should the line be drawn?

Shri Tangamani: But then this is also one of the languages which we have included as a national language, in the Constitution. Every person has got a right to say that his language is superior to any other language. That cannot occur in a vacuum. Naturally there will be a comparison with other languages. If such a thing happens, the moment you cast an aspersion on some language, there is trouble. Let me make my position clear on this matter. A Tamilian would say that all these Dravidian languages in the South have emerged from Tamil. Naturally, a Telugu-speaking person from Andhra may take objection to that.

Mr. Deputy-Speaker: You cannot love one thing unless it is at the expense of another.

Shri Tangamani: Another person from Kerala may take objection to that. How can you prevent it? So, while this section may be harmless, we can also make it harmful by applying this section. That is the point which I wanted to mention.

I can understand the purpose. We were one with the Government in saying that communal passions should not be worked up. Particularly in our areas in the South, it is not communal passion but caste passion. You will be surprised to know that in many Hindu families the name of children resemble Muslim names. It is very difficult to find out whether one is a Muslim boy or a Hindu boy. There is this kind of communal harmony in the South. But there, the real problem is not one of fight between the Hindus or the Muslims but it is a problem in regard to the caste. That is the serious problem now, in the South. Formerly, the fight was between the Brahmans and the Non-Brahmans. Now, one caste is fighting against another. We had one such experience in 1957 or 1958 in the South. So, that is another serious problem, and I am glad that "caste" has been included in this section. We want to have a casteless State in this country. But to have this kind of dislike even for the development of language is something which I am not able to understand. That is why we felt that the Government have been acting in a hasty manner in including language and putting it on a par with promoting hatred on the ground of religion, race, caste or community. That is why I say that it is not too late even now to reconsider this aspect of the question.

परिसर ठाकुर दास भागवत (हिमालय) :
उपाध्यक्ष महोदय, सबसे पहले मैं इस ऐवान
की तबज्जह श्री रतनमाल द्वारा लिखित
"दी ना आक काइम्" की कमेंटरी की तरफ
दिखाना चाहता हूँ। उसके अन्दर दर्ज है --

"The Allahabad high court has held that the intention to promote hatred or enmity between two

[पंडित ठाकुर दास भार्गव]

classes is not a necessary ingredient of the offence under this section."

उसमें कमेंटेटर साहब ने लिखा है कि जहां तक लपज प्रमोट का सवाल है वहां यह चीज नहीं आती है कि इसके अन्दर इंटेंशन का कोई सवाल पैदा हो। असर पैदा होना चाहिए। अगर किसी शस्त्र की किसी स्पीच से या तहरीर से ऐसा असर पैदा हो जाये कि फीलिंग ऑफ एनिमिटी पैदा हो जाये तो उसका इरादा ऐसा करने का न हो तो उस सूरत में भी वह इस कानून की जद में आ जायेगा। यह नहीं है कि पहले उसका इरादा हो और इरादे के मुताबिक उसका जो इरादा हो वह पूरा हो जाये तब वह जद में आ जायेगा। उसका इरादा कितना ही अच्छा हो, शायद ऐसा अच्छा हो जिसकी कि हर एक आदमी तारीफ करे लेकिन अगर उसका असर यह होता है कि उससे एनिमिटी प्रमोट होती है तो वह इस कानून की जद में आ जायेगा। चूंकि इस कमेंटेटर ने लिखा है कि फ्री ट्रेड करने वाले भी इसकी जद में आ सकते हैं। अब फ्री ट्रेड से कंट्री का नुकसान भी हो सकता है और फायदा भी हो सकता है। अब अगर उस फ्री ट्रेड में एनिमिटी प्रमोट होती है और वह अपने उस फेल से एनिमिटी प्रमोट करता है तो वह गिल्टी माना जायेगा। ऐसी हालत में वह जरूर इसका पाबन्द हो जायेगा। मैं अब से अर्ज करूंगा कि अगर यह बात ठीक है और इलाहाबाद हाईकोर्ट की राय और कमेंटेटर की राय ठीक है और सिर्फ इतना ही सवाल है कि आया एंज ए मैटर आफ फैक्ट प्रमोशन होता है या नहीं होता है तो प्रमोशन होने की सूरत में वह इसकी जद में आ जायेगा। सवाल यह नहीं है कि उसका इरादा क्या था और क्या नहीं था। मुझे इस सिलसिले में गीता का एक श्लोक याद आता है जो कि इस प्रकार है :—

“यस्य नाहुकृतो भावो बुद्धिर्यस्य न लिप्यते ।
हृत्वापि स इमाल्लोकान् ज्ञानि न निबध्यते ॥”

15.34 hrs.

[DR. SUSHILA NAYAR in the Chair]

मतलब यह है कि जिस आदमी के दिल में “मैं करने वाला हूं” ऐसा भाव नहीं है और जिसकी बुद्धि दुनियावी चीजों और कामों में लिप्त नहीं होती, वह आदमी इन सब तीनों लोकों को मार कर भी दरअसल में न तो मारता है और न पाप से बंधता है। ऐसा आदमी तीनों लोकों को भी मार दे तो भी वह पाप नहीं गिना जाता है।

अब इण्डियन पिनल कोड ऐक्ट के अन्दर पहली चीज यह होनी चाहिए कि अगर किसी काम के करने में मेलीजिनेट इंटेंशन नहीं है तो वह आमतौर पर जुर्म नहीं करार दिया जाये। आम उमूल यह है कि उसके पीछे इरादा होना चाहिये लेकिन इस ऐक्ट की रू से बगैर इरादा रखे हुए भी इसकी जद में आता है और यही इसकी सबसे बड़ी खराबी है।

इसके अलावा आप मुलाहिजा फरमायेंगे कि इसके अन्दर ब्रिटिश गवर्नमेंट ने भी जो एक छूट दी थी, ऐक्सेप्शन दिया था वह ऐक्सेप्शन इस ऐक्ट के अन्दर बेगुनाह आदमी के वास्ते मौजूद नहीं है। उसकी वजह यह है कि हमारे होम मिनिस्टर साहब को शक यह है कि शायद ऐक्ज्यूज्ड यह साबित कर दे कि मेरा मेलीजिनेट इंटेंशन नहीं था और वह बच जायगा। मैं अर्ज करना चाहता हूं कि अगर उनकी यह राय ठीक है कि और यह बात सही है कि अगर एक आदमी यह साबित कर दे कि मेरा इरादा अच्छा था इस तहरीर के करने में और इस काम के करने में तो भी इन अफ्लाज की रू से उसको सजा होगी और वह सजा तीन साल तक की हो सकती है भले ही वह कितना अच्छा इरादा क्यों न करे। मेरी गुजारिश यह है कि अगर ला का इंटर-प्रिटेशन यह है और मुझे उम्मीद है कि हमारे ला मेम्बर साहब भी इससे इतिफाक करेंगे कि ला का इंटर-प्रिटेशन यह है कि इसके अन्दर नेसेसरली इंटेंशन नहीं है और इंटेंशन न होने की वजह से एक आदमी जो कि अपने फेल

से एक नतीजा चाहता हो ऐन मुश्किल है कि उसका दूसरा नतीजा हो सकता है। अब यह हो सकता है कि एक भादमी एक दूसरे भादमी को बचाने के लिए तलवार चलाता है और वह उसके लड़के के ऊपर पड़ जाती है और लड़का मर जाता है। अब तलवार तो उसने बचाने के वास्ते चलाई। उसका इरादा कुछ था और नतीजा कुछ और ही हो गया। अगर इस बिल के असूल को माना जाये तो वह दफा ३०२ के तहत गिल्टी बन जाता है। अब उसका इरादा तो लड़के को मारने का नहीं था। इरादा हर एक फेल की जान होता है। हमारे भानरेबुल डिप्टी स्पीकर ने एक एक्स्प्लान का हवाला दिया है, दफा ८१ का उन्होंने जिक्र किया लेकिन मैंने उसे पढ़कर यह पाया कि वह तो उससे जर्मन नहीं है। वह बिलकुल जुदा चीज है। उसके अन्दर हार्म का जिक्र है लेकिन इस सैकशन में तो हार्म का जिक्र ही नहीं है। अगर इंटेंशन नहीं है और वह कुछ ही काम कर दे लेकिन अगर नतीजा वह पैदा होता है जिसमें वह एनिमिटी की फीलिंग प्रमोट हो तो वह जरूर इस कानून की जद में आ जायेगा। मेरी अदब से गुजारिश यह है कि इस एक्स्प्लेनेशन के के जोड़े जाने के मानी यह है कि बहुत से बेगुनाह भादमी जो ईमानदारी के साथ यह यकीन रखते हैं और अपने देश का भला चाहते हैं और अपनी कम्युनिटी का भला चाहते हैं और नेकनीयती से कहते हैं कि उसका ऐसा कोई इंटेंशन नहीं है तो भी वह इस कानून की जद में आजायेंगे।

अब मैं आपको बतलाऊं कि मैं पंजाब का रहने वाला हूँ। मुझ को सिक्खों से बहुत मुहब्बत है, गुरूओं से बहुत मुहब्बत है और पंजाबी जवान से बहुत मुहब्बत है लेकिन अगर एक इस तरह का आर्डर आ जाये कि सारे हिन्दी ऐरिया को भी पंजाबी जबरन सीखनी पड़ेगी तो अगर मैंने यह कहा कि पंजाबी भी सीखी जाये और हिन्दी भी सीखी

जाये; दोनों जवानों बलें और खाली पंजाबी ही न ठूँसी जाये तो मैं इस कानून की जद में आजाता हूँ हालांकि मेरी नीयत यह है कि पंजाब में कोई झगड़ा न हो और वहां के लोग बड़े सुख चैन से अपनी ज़िंदगी बसर करें। मौजूदा दफा के बमूजिब मैं इसकी जद में आ जाऊंगा हालांकि मेरा कोई ऐसा इरादा नहीं है कि वहां पर किसी किस्म की दुश्मनी और एक दूसरे के प्रति नफरत की फीलिंग पैदा हो।

मैं इसी तरह की बीसियों मिसालें दे सकता हूँ। अब संस्कृत, अंग्रेजी और हिन्दी का झगड़ा चलता है। अब हिन्दी और अंग्रेजी के बीच में काफी झगड़ा चलता है। अब बहुत से भादमी ईमानदारी के साथ यह यकीन रखते हैं कि हिन्दी एक नेशनल लैंग्वेज है और वह सारे देश में राज होनी चाहिए लेकिन कुछ हमारे बुजुर्ग ऐसे भी हैं जो कि समझते हैं कि नहीं अंग्रेजी चलती रहनी चाहिए और हिन्दी को अंग्रेजी की जगह बैठा देने से देश का नुकसान होगा। अब इस बारे में खूब रात दिन झगड़ा होता है और बहसें होती हैं और स्पीचें दी जाती हैं और ऐसी सूरत में अगर आप यह कहते हैं कि जो कोई अंग्रेजी का विरोध करेगा तो उसको सजा होगी तो यह तो कोई ठीक बात न होगी। अब कितना ही अच्छा इरादा उसका क्यों न हो मौजूदा दफा की रू में वह इसकी जद के अन्दर आ येजागा।

श्री तंगामणि ने इसके बारे में बन्द एक मिसाल दी और मैं पचासी मिसालें इसके लिए दे सकता हूँ। अब ऐनीवेलीट के केस में हमने देखा कि एक्स्प्लान की रू में वह बच गये और वह गिल्टी करार नहीं दिये गये। यहीं दिल्ली का एक केस है नेट श्री वेसवन्त मुप्ता का जिसमें कि जस्टिस अफर अनी ने यह करार किया कि अगर कोई खल इन इरादों में कि कमानों जगदी दूर ही जाये ऐनी

[पंडित ठाकुर दास भागव]

बात कहता है जो दूसरों को नापसन्द हो और फीलिंग आफ एनिमिटी पैदा होती है। ताहम वह गिल्टी नहीं है।

इस वास्ते मैं यह अर्ज करूंगा कि दफा की मौजूदा वर्डिंग इस देश के लिए हानिकारक है। हमारे आनरेबल मिनिस्टर साहब यकीन नहीं कर सकते कि जिसका इरादा पाक हो उसको सजा हो जायेगी। उनका खेयाल यह है कि ऐक्यूज्ड को अख्तियार है कि वह अपनी बेगुनाही को साबित करे। मैं प्रदब के साथ अर्ज करूंगा कि इस कानून की २० से उसका इरादा नेक साबित भी हो जाये तो भी कोर्ट हेल्पलेस है और कार्ट को उसको सजा देनी ही होगी। जब तक उस दफा में आप लपज इंटेंशन नहीं लिखते हैं और यह नहीं लिखते हैं कि जो इंटेंशनली एनिमिटी प्रमोट करे या इंटेंशली एटेंम्ट्स टु प्रमोट - तब तक उसमें खामी आती रहती है और वह ठीक नहीं बनती है। लपज इंटेंशन इसमें जरूर आना चाहिए। अब नतीजा एक चीज है और असल एक चीज है और इस वास्ते मैं प्रदब से अर्ज करना चाहता हूं कि मौजूदा दफा के एक ही माने हैं और वह यह कि असल में अगर एनिमिटी की फीलिंग का प्रमोशन होता है तो वह उसकी जद में आजायेगा स्वाह उसका इरादा कुछ ही क्यों न हो।

इस लिये मैं प्रदब से यह अर्ज करना चाहता हूं कि एक्सप्लेनेशन जरूरी है, या कम से कम इसमें "इन्टेन्शन" का लपज रखा जाये, तब भी बर्बन प्रासीक्यूशन पर चला जाता है और जिस पर मुकदमा चलाया गया हो, वह कह सकता है कि इन्टेन्शन साबित नहीं हो सका और यह मेरा इन्टेन्शन नहीं था। अगर गवर्नमेंट ने "इन्टेन्शन" रखती है और न एक्सप्लेनेशन को रखती है, तो इस का मतलब यह है, बेयर फीस्ट यह है कि जो आवसी क्रमा क्रैम कर वे, स्वाह उस का कुप हो इरादा हो, नेक या बब, वह सजा पा जायेगा।

ला मिनिस्टर साहब और होम मिनिस्टर साहब की खिदमत में मैं एक बात दोबारा अर्ज करना चाहता हूं, क्योंकि कल शायद मैं वह बात बहुत साफ तौर पर अर्ज नहीं कर सका। मैं कॉन्स्टिट्यूशन के आर्टिकल १६(१) की तरफ आपकी तबज्जह दिलाना चाहता हूं। १९५० में आर्टिकल १६(१) इस तरह था—

"All citizens shall have the right—(a) to freedom of speech and expression;"

आर्टिकल १६(२) इस तरह था—

"Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law in so far as it relates to, or prevents the State from making any law relating to libel, slander, defamation, contempt of court or any matter which offends against decency or morality or which undermines the security of, or tends to overthrow the State."

चूंकि उस वक्त हम नये-नये आजादी में आये थे, इस लिये १९५० में हम ने जो ला इनेक्ट किया, हमने उसमें से सेडीशन को निकाल दिया और इसी तरह हमने कई और गलतियां भी कीं। हमने वे प्राविजन नहीं रखे, जो कि और मुक्तों में ऐसी हालतों के लिये होते हैं। मसनन विनायन और अमरीका में "सेडीशन" का लपज रखे बगैर सेडीशन को इसमें इन्क्लूड किया हुआ है। हमारे यहां ऐसे अलफ्राज थे कि लोगों ने उन का नाजायज फायदा उठा कर तरह तरह की कार्यवाहियां करनी शुरू कर दीं। बहुत से लोगों ने मर्डर और वायलेंस को प्रीब करना शुरू कर दिया, क्योंकि वे इस कानून की जद में नहीं आते थे—वे पार्ट (२) से बच जाते थे और पार्ट (१) में आ जाते थे। इसलिये इस देश में बहुत अगशा हुआ। अखिर यहां पर एक कमेटी बैठी, जिस की तजवीज पर कॉन्स्टिट्यूशन (पार्ट अमेंडमेंट) एक्ट पास हुआ। वह एक्ट खाल तौर पर इस

लिये बना था कि ईस्ट पंजाब हाई कोर्ट ने मास्टर तारासिंह के केस में यह करार दे दिया कि मास्टर तारासिंह की स्पीचिज़ और फ़ेल इसकी ज़द में नहीं आते। इस के अलावा रमेश बापर का केस था और श्री गोपालन साहब ने भी इस बारे में बहुत झगड़ा किया। ये सब केमिज़ इस बात पर आधारित थे कि दर-असल उनको फ्रीडम आफ़ स्पीच है। और वह भी ऐसी अन्नाहसैम्ब फ्रीडम आफ़ स्पीच कि कोई चाहे कुछ भी कहे, यह कहे कि मार दो मर्द कर दो, तो भी वह इस कानून की ज़द में नहीं आता। इसलिये दफ़ा (२) को तब्दील किया गया और अब दफ़ा (२) बहुत क्लीयर है। वह इस तरह है—

"Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence."

इससे यह जातिर होता है कि "पब्लिक ऑर्डर", "फ़्रेंडली रिलेणन्स बिद फ़ारेन स्टेट्स" और "इनसाइटेमेंट टु ऑफ़ेंस" को छोड़ कर बाकी सब अलफ़ाज़ अमैन्डमेंट में पहले भी इस दफ़ा में मौजूद थे।

फिर यह हुआ कि बहुत सी कोर्टों ने, इस सिलसिले में जो कानून पास कर दिये गये थे, उनको अस्टा बायर्स होल्ड कर दिया था। प्रिजेन्ट ला में हमने १५३-ए और इसके सारे कानूनों के लिये सास तीर पर यह प्राविजन रखा कि जो इस तरह के सास थे, वे पार्ट (२) से अस्टा बायर्स नहीं बने और उन की क्रोस कायम रहेगी, जिस का नतीजा यह हुआ कि दफ़ा १५२ए नीबूट रही, क्योंकि हमने सास तीर पर खा बनाया, जिसमें

(२) के इन्टरप्रेटेशन को गलत करार दिया और यह करार दे दिया कि वह ठीक रहेगी। आईन्दा के लिये हमने पार्ट (२) में तब्दीली कर दी। अब हम को हर एक कानून को देखना पड़ेगा कि आया वह पार्ट (२) में आता है या नहीं। अगर वह १६(२) में आ जाये, तो वह दुरुस्त है और अगर नहीं आता, तो स्वाह कितना ही अच्छा कानून हो, वह नहीं चल सकता है।

हम चाहते हैं—कौन नहीं चाहता है—कि हिन्दुस्तान में इन्ट्रेशन आफ़ सोसायटी हो। मैं मिनिस्टर साहब को हड्डे परसेट दाद देता हूँ कि उन्होंने ख़ुमस इलीमिनेशन के मोके पर ऐसा कानून बनाने की कोशिश की, जिस में इन्ट्रेशन आफ़ सोसायटी होगा और आपस में ज्यादा नफ़रत का नहीं होगा। इन्ट्रेशन कौन नहीं चाहता? लेकिन अगर सरकार ने कोई अलव दजें का कानून भी इन्ट्रेशन आफ़ सोसायटी के लिये बनाया, जिसमें फ्रीडम आफ़ स्पीच पर हमला हो जाये, तो वह कानून नाजायज़ होगा। सिर्फ़ इन छः बातों के लिये सरकार फ्रीडम आफ़ स्पीच को करटेल कर सकती है, उस पर रेस्ट्रिक्शन लगा सकती है, लेकिन वह इन्ट्रेशन आफ़ सोसायटी के लिये फ्रीडम आफ़ स्पीच का नहीं ले सकती है। वह किसी और मतलब के लिये, ग़मिटी पैदा करने के लिये, मुहम्बत पैदा करने के लिये फ्रीडम आफ़ स्पीच को नहीं रोक सकती है।

अब मुझे यह देखना है कि आया इस बिज की क्लाज़ २ आर्टिकल १६(२) की ज़द में आती है या नहीं। इस क्लाज़ के दो हिस्से हैं—एक हिस्सा "फ़ालिग्न आफ़ एनिमिटी अर हेट्रिड" का है और दूसरा हिस्सा "ऐनी एक्ट थिच इज प्रीजुडिशल टु दि मेन्टेनेंस आफ़ हारमनी" से तात्पर्य रखता है और उभरें यह दर्ज है—

"commits any act which is prejudicial to the maintenance of harmony between different religious,

[पंडित ठाकर दास भार्गव]

racial or language groups or castes or communities and which disturbs or is likely to disturb the public tranquillity."

इसमें पब्लिक आर्डर आ गया है, यानी जो पब्लिक आर्डर को खराब करेगा, उसको सजा दी जायेगी, जिसका मतलब यह है कि वह क्लाइमेटिकल १९(२) की रेक्वायरमेंट्स को पूरा करती है, गो कि मैंने अर्ज किया है कि लफ्ज़ "लाइकली टु डिस्टर्ब" बड़े बसीअ और इस्टिक है, लेकिन वह एक दूसरी चीज़ है। जहाँ तक ला का सवाल है, आर्टिकल १९ (२) में पब्लिक आर्डर के बारे में प्रोविजन होने की वजह से वह ठीक है।

इसके पहले हिस्से में दिया गया है—

"Whoever by words, either spoken or written, or by signs . . . promotes, or attempts to promote, on grounds of religion, race . . . feelings of enmity or hatred between different religious . . ."

यह हिस्सा आर्टिकल १९(२) में नहीं आयेगा। अगर इसमें यह लिखा होता "कैलकुलेटिड टु डिस्टर्ब दि पब्लिक आर्डर", तो आ जाता, लेकिन अब जहाँ तक यह है, इसके बरखिलाफ़ वही आबजेक्शन्स हैं, जो कि दफ़ा १५३ए पर ईस्ट पंजाब हाई कोर्ट ने किये थे, जिसकी रू से उस को पुराने एक्ट के नीचे अल्ट्रावायर्स करार दिया गया था। पुराने एक्ट के हिसाब से यह नाजायज़ था, लेकिन हमने उसको कांस्टीट्यूशन (फ़र्स्ट अमेंडमेंट) एक्ट की रू से सही करार दिया। लेकिन अब हम जो कानून बनाते हैं, वह सिर्फ़ १९(२) से देखा जायेगा। इस क्लाइमेट के पहले हिस्से में "पब्लिक आर्डर" का जिक्र नहीं है और न ही "सिम्पोरिटी ऑफ़ स्टेट", डिसेन्सी आर मारेसिटी" वगैरह उन छः चीज़ों का जिक्र है, जिन के इन्ट्रस्ट में पीडम, ऑफ़ स्प्रीच पर रेस्ट्रिक्शन लगाई जा सकती है। वे छः चीज़ें इस में एबसेन्ट हैं। मुझे डर है कि बायजूब

हमारी इन सब कोशिशों के अगर यह कानून फिर कोर्ट के सामने जायेगा, तो इसका वही हल होगा, जो कि १९३-ए का हुआ था। इसका यह मतलब होगा कि हमने अपना फ़र्ज पूरा नहीं किया और इसलिये हमको जानबूझ कर ऐसा नहीं करना चाहिए।

अगर गवर्नमेंट चाहती है कि इसको अल्ट्रा वायर्स न करार दिया जाये, तो वह पहले हिस्से में कोई ऐसी चीज़ रखे, जो कि "पब्लिक आर्डर" वगैरह छः चीज़ों के मुताबिक हो, वरना मुझे डर है कि अगर यह बेयरली इतना रहे जितना कि यह है, तो जिस तरह १५३-ए को गलत करार दे दिया गया था, वैसे ही इसको भी गलत करार दे दिया जायेगा। मैं चाहना हूँ कि इस पर गौर किया जाये और उन अलफ़ाज़ को ऐड कर दिया जाये, वरना मुझे डर है कि उनके बगैर यह अल्ट्रा वायर्स करार दे दिया जायेगा।

जैसा कि मैंने अर्ज किया है, इस में और भी बहुत सारे दूसरे नुक्स हैं। उनको दोहराने की ज़रूरत नहीं है, लेकिन मैं चाहता था कि हमारे ला मिनिस्टर साहब फ़िलवाके एक कमेटी मुकर्रर कर देते। आज सेडीशन का ला ऐसी सल्टी में पड़ा हुआ है कि हिन्दुस्तान में कोई कानून मौजूद नहीं है। पहला ला ईस्ट पंजाब हाई कोर्ट ने गलत करार दिया और दूसरा ला मौजूद है, लेकिन वह न बिलायत के मुताबिक है और न अमरीका के मुताबिक है। मैं कई दफ़ा अर्ज कर चुका हूँ कि दफ़ा १५३ए भा. १२४ए दोनों ला एंड आर्डर के लिये, गवर्नमेंट के लिये, सोसायटी के लिये और बहुत से बातों के बहुत ज़रूरी हैं। उन का इस तरह से एडिप्ट किया जाये कि वे ठीक ला बनें। इस वक़्त न १५३ए ठीक ला बना है और न १२४ए ठीक ला बना है और न ही वह कांस्टीट्यूशन के आर्टिकल १९ (२) के मुताबिक है।

मुझे इतना ही अर्ज करना है।

Mr. Chairman: There are some more hon. Members who wish to speak on this clause. We have already extended the time by one hour. At 4 o'clock there is another motion to be taken up. This means that if we do not pass this Bill by 4 o'clock, it will have to be postponed till another day. I understand that it is not usual to extend the time beyond one hour's extension. If the House wishes, the House can do anything, of course. There is no doubt about it. If hon. Members will not insist on speaking, it will be appreciated. If, however, they insist, we have to take the opinion of the House whether they wish the time to be extended. There are, I think, one or two hon. Members. Shri Hynniewta is one. I think he has had his full say yesterday.

Shri Hynniewta (Autonomous district-Reserved-Sch. Tribes): No; I did not have my full say. If you would give me a few minutes, I shall appreciate it very much. I shall not take a lot of time.

Shri Bane (Buldana): May I submit, the Business Advisory Committee allotted five hours for this Bill. The hon. Speaker extended the time by one hour. Practically seven hours have been taken. We are hard pressed for time. I request that the Bill should be over by 4 o'clock today. If the Members would sit longer and the Motion at 4 o'clock is postponed, I have no objection. It should be postponed.

Shri Hynniewta: May I make a submission? This is a very important Bill which affects the fundamental rights of the citizens of this country. In view of its importance, in view of its far-reaching consequences, I would request you to extend the time and the House to agree to it.

Shri A. K. Sen: May I explain only a few points which might allay

the apprehensions of many hon. Members that this Bill interfered with the right of freedom of speech? May I say with confidence that what the Bill prohibits and penalises is something quite different from the legitimate expression of grievances either of an individual or of a group or of a community? What is penalised is words written or spoken or signs or any visible representations which promote or attempt to promote, on grounds of religion, race, language, caste or community or any other ground whatsoever, feelings of enmity or hatred between different religious groups. Suppose Shri Tangamani says that Tamil is superior to Sanskrit. He is entitled to say so a thousand times, without infringing any of the provisions of the present law. But, the moment he tries to vilify Sanskrit in such a way by burning, dissecting and defaming Sanskrit books, that it causes hatred amongst those who hold Sanskrit as a sacred language as opposed to Tamil, then, he comes within the mischief of the section. Similarly, when an Assamese praises his own language, his own achievements and so on or a Khasi praises his own language or achievement, he will never come within the mischief of it. Or, if he complaint about his legitimate right to pursue study of his language, he does not come within the mischief of this section. This Explanation has been removed for a very good purpose.

Shri S. M. Banerjee (Kampur): This speech, which is clear to us, will not be attached to the Bill.

Shri A. K. Sen: I am not saying that I know. . . .

Shri S. M. Banerjee: Your speech has clarified many things. If that is the intention of the Bill, it is all right.

Shri A. K. Sen: I am saying that the interpretation. . . . (Interruption from Shri Hynniewta) . . .

Mr. Chairman: Will the hon. Member resume his seat?

Shri Hynniewta: Just one minute, Madam.

Mr. Chairman: The hon. Minister is not yielding. Mr. Hoover, you must resume your seat.

Shri A. K. Sen: What I am saying is, my speech is not admissible in a court of law. But, the interpretation of the section that I am putting forward before the House is an interpretation which is the only interpretation possible. That is the reason why I say that the apprehensions expressed by many hon. Members are not at all founded on proper grounds. I wish, therefore, we proceed with the disposal of the Bill. Already we have taken enough time. We have considered this matter from all points of view. If, in future, such things appear to cause real hardship, expression of legitimate grievances, I am sure, is saved.

15.55 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: I suppose the hon. Minister has nothing more to say.

The Minister of State in the Ministry of Home Affairs (Shri Datar): No, we have nothing more to say.

Shri Hynniewta: I have made a request that I may be allowed to say a few words on this clause.

Mr. Deputy-Speaker: I am sorry. There is no time. I believe the hon. Member had an opportunity to speak on the motion for consideration.

Shri Hynniewta: I had an opportunity to speak on the principles of the Bill.

Mr. Deputy-Speaker: There is no amendment in the hon. Member's name.

Shri Hynniewta: There is no amendment.

Mr. Deputy-Speaker: He has already spoken in the general discussion on the clauses also. I shall now put the clause to vote.

Shri Balraj Madhok (New Delhi): I have an amendment to this clause.

Mr. Deputy-Speaker: It was not moved. I called out the names of hon. Members who had amendments. The hon. Member was not present then.

The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Mr. Deputy-Speaker: There is amendment No. 16 seeking to insert a new clause 2A. That is out of order.

The question is:

"That clause 3 stand part of the Bill".

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Datar: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

15.57 hrs.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

The Deputy Minister of Law (Shri Hajarnavis): I beg to move:

"That the Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951, and to make certain minor amendments

in the Two-Member Constituencies (Abolition) Act, 1961, as reported by the Select Committee be taken into consideration."

After the House committed this Bill to the Select Committee, the Bill was very carefully considered there, and the Select Committee has made a few changes, which I shall presently advert to.

The first change that they have made is in the Long Title. As I had indicated in my opening remarks when I introduced the Bill here and moved for reference of the same to the Select Committee, the Bill as introduced dealt with three Acts, namely the Representation of the People Act, 1950, the Representation of the People Act, 1951 and the Two-Member Constituencies (Abolition) Act. Clause 33 which sought to give power to the Election Commissioner to make consequential changes has been omitted by the Select Committee, with the result that the change has affected the Long Title also, because this Bill no longer deals with the abolition of two-member constituencies.

In regard to clause 3, the original proposal was that the fee which was to be lined was to be prescribed by rules. The Select Committee felt that such an unlimited power ought not to be given to the Election Commissioner, and they have recommended that the fee should now be reduced to 50 nP, where it was Re. 1 before, and to Rs. 3 where it was Rs. 5 before. The amendments made in clause 6 are of a purely verbal nature, because the district boards in Madras have now been substituted by Panchayat Union Councils, and the District Boards in Punjab have been replaced by Panchayat Samitis.

In the original clauses 19 and 20, the proposal was that the election petition and the order made by the election tribunal ought not to be published in the gazette. That was a proposal that did not find favour with the Select

Committee. So, the original provisions in the Act have been retained.

Then, clauses 23 and 26 have been redrafted in order to make the meaning clearer.

These are the main features of the Bill as reported by the Select Committee which I commend to the acceptance of the House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951, and to make certain minor amendments in the Two-Member Constituencies (Abolition) Act, 1961, as reported by the Select Committee, be taken into consideration."

Shri S. M. Banerjee:

Shri Surendranath Dwivedy (Kendrapara): There is an amendment tabled by Shri Khushwaqt Rai. He is not present. I may be permitted to move it.

16 hrs.

Mr. Deputy-Speaker: Shri Khushwaqt Rai is not present. Therefore, that amendment cannot be moved.

Shri S. M. Banerjee (Kanpur): I have very carefully read the Bill as it has emerged from the Select Committee, as also the Minutes of Dissent. Particularly, I have gone through every line of the Note of Dissent given by Shrimati Renu Chakravartty. She raises certain points which, unfortunately, have not been considered favourably by the Select Committee.

Mr. Deputy-Speaker: Would he like to continue?

Shri S. M. Banerjee: Yes, Sir.

Mr. Deputy-Speaker: This will be continued tomorrow. We shall now take up the other discussion.

16.02 hrs.

MOTION RE: REPORT OF SECOND
ENQUIRY ON AGRICULTURAL
LABOUR IN INDIA

Shri N. R. Muniswamy (Vellore):
Sir, I beg to move:

"That this House takes note of the Report of the Second Enquiry on Agricultural Labour in India (Vol. I—All India), laid on the Table of the House on the 21st December, 1960."

At the outset, I have to make certain observations regarding the agricultural labour problem in India. A perusal of the report of the second enquiry indicates that the position of agricultural labour has been almost the same from 1950 onwards. The report of the first enquiry covering the period 1950-51 was submitted some years earlier, and this report covering the period 1956-57 was submitted in 1960. From the two reports, it appears that the position of the agricultural labour is almost the same, if not worse. Evidently, the reason is that there is no organised sector for regulating agricultural labour so far as our rural economy is concerned.

It is admitted that India is pre-eminently an agricultural country, and that the people living in the rural areas are dependant only on agricultural work and nothing else. As stated in this report, the national income is about Rs. 11,000 crores, 50 per cent. of which is being contributed by agricultural labour. The rural area is about 70 per cent. of the country, and one-fifth of its population is the agricultural force. This indicates that this sector is not well-looked after. In industries, for example, there are labour unions and labour leaders, but agricultural labour is not organised, and it has to fend for itself.

We are all aware that agriculture is not a full-time job. It is only seasonal, and it varies from place to place, from State to State. Even in the same State there is different from place to

place. So, the problems presented by agricultural labour are complex.

The present report as well as the earlier one have not been able to give us complete data, and the actual data given by them as a result of sample surveys cannot be depended upon for formulating any concrete remedies to be adopted.

So far as this sector is concerned, labour is not organised and it is for the Government to see what best could be done. Our economy is based mainly on agriculture. Now, there is some change from agriculture to industry. In this transitional period or during this change-over from agriculture to industry, there are bound to be some problems and difficulties to be faced. So, agricultural labour is a problem that has to be looked into carefully. It cannot be taken as an isolated problem, unconnected with other problems. It is connected with the land problem and it is connected with food and agriculture. Therefore, it would have been much better if the Minister for Agriculture had also been present here, as also the Minister of Community Development and Co-operation. The Planning Commission might also be represented possibly. But, still, these 3 Ministers should have been present here to here the grievance and the remedies that might possibly be suggested by some hon. Members. I find only the Labour Minister is present here as if it is only his responsibility to look to the welfare of the labourers. As this problem is one which is pre-eminently connected with land and also community development, the Minister who has been asked to look into these sectors must have been present here. Leaving aside that aspect let me go into the present position of agricultural labour.

Let me first bring to the notice of the House the employment position. In the Second Five Year Plan, out of 3 lakhs—I speak subject to correction—of labour force for which they

hoped to find employment they were able to find only for 10,000. They have provided schemes now to find employment for about 7 lakhs of people in the next Plan. If in the previous Plan they could find employment only for 10,000 people out of 3 lakhs for whom they wanted to provide, I am not able to envisage how they would be able to find work for all these 7 lakhs of people. So far as his sector is concerned, unemployment ranges over millions, and, as such, this problem has got to be looked into with care and caution.

Let me read one portion from this book. On page 101, it is said:

"The employment position of casual agricultural labourers, who form the bulk of labour force, did not show improvement over the situation that obtained in 1950-51."

It appears that the position is almost the same as I stated in the beginning of my speech. You will be pleased to see that in 1950-51 the employment position was that these labourers had work on 275 days. As compared to that it is 237 days in 1956-57. That would indicate that it has gone down. As a matter of fact, they were able to get work for 273 days in 1950-51 and 1956-57 it has decreased to 237; that is, there is a decrease of 38 days. That indicates that there is something which has got to be remedied.

The national per capita income in 1950-51 was about Rs. 265/-. Let me read portions so that it may be clear. According to the Central Statistical Organisation's estimates the national income per capita was Rs. 291.5 for 1956-57. It says here that the per capita income of agricultural labour household in 1956-57 was 99.4 or about 34 per cent of the national per capita income. The corresponding figures for 1950-51 were Rs. 265 and Rs. 104 respectively. They say that it is relevant to note that the national income

estimates covering the entire population, both rural and urban, whereas the enquiry figures relate only to agricultural labour households in the rural areas. So, the per capita income of agricultural labourers is dwindling down and they are not able to get what they want and unless they can find some supplementary income for their livelihood it is not possible to help them. That is the position with regard to the income according to the report.

We have seen that during the last ten years the pressure on land is increasing because of the increase in population. I would refer hon. Members to page 9 of the same volume wherein they say that the disquieting feature of the Indian economy is the steady growth in the number of persons solely depending on agriculture between 1901-1951 and the proportion of people depending on agriculture to the total population increased from 70 to 71 per cent. They further say that from 1951, about 67 per cent of the population solely depended on agriculture for its livelihood. Thus it would appear that whatever expansion had taken place in the industrial sector has not been able to divert manpower from agricultural pursuits to any effective extent.

In 1951, 82 per cent of our people were rural and about 17 per cent, urban. In 1957, the corresponding figures are 81 per cent rural and 19 per cent urban. This indicates movement from rural areas. The urban area is very much, in spite of the incentive given to the people. This indicates that the population is increasing without proper increase in income. This problem, it is true, bristles with difficulty and it is not only the duty of Government but also the duty of everyone of us to see that these people are provided with enough employment. It is for this purpose that we have got these river valley projects. I will take Hirakud Dam as an illustration. Before that dam was constructed,

[Shri N. R. Muniswamy.]

people were having one crop; that area was rain fed. Subsequently, the dam was constructed for the purpose of providing them employment throughout the year; it may also be regarded as flood control measure. But people did not raise a second crop. They are satisfied with the first crop or the first crop yield is sufficient to meet all their needs.

16.15 hrs.

[DR. SUSHILA NAYAR in the Chair]

The money spent on the dam was with a view to give work for the labourers. That purpose is not served. Proper utilisation of the facilities made available by the construction of the dam, namely raising of the second crop and thus providing employment in agriculture for people, should be insisted upon. The second crop should be raised. For the rest of the period, they may be lethargic or idle or they may not have enough work to eke out their livelihood. They must move from this place, but where? They must move either to an industrial place where their services may be required or to any other place where there is enough irrigation potential to raise crops. In Hirakud I do not think any such facilities are available. In that part of the country, namely, Orissa, the people are not very enthusiastic to utilise their manpower. Of course, I am subject to correction. The reason behind this is that either they are complacent with the present situation or are satisfied with the available produce. Therefore, I suggest that the Government should take upon itself the responsibility of seeing that labourers in this sector are gainfully employed throughout the year.

Shri Surendranath Dwivedy (Kendrapara): There are higher water rates also.

Shri N. R. Muniswamy: That may be true. It is for the Government to minimise or reduce it or to give any

other incentive so that they can get more produce to compensate the higher water rate that they are asked to pay. The Government cannot shirk their responsibility for finding jobs for the agricultural labourers. So far as the industrial workers are concerned, there is no worry, since they have a number of leaders and there are a number of unions to take care of them. But in regard to this agricultural sector, it is the most unorganised sector; it is not continuous, the work is seasonal. So, the Government must take upon itself the responsibility of finding out an all-round scheme of work for these labourers so that there may not be any wastage of human labour. The utilisation of manpower and the work on river valley projects must be so integrated as to see that the people are provided with enough jobs throughout the year. For the last ten years, as we see, from the two reports, the position of agricultural labourers is almost the same if not worse. A reading of the reports is also not very happy. The reports show that we are not mindful of the rural economy. This sector is the most neglected sector in our country. Agriculture has got to be regarded as an industry in the same way as we regard other industries. The Government should see that the manpower in this sector is not wasted but utilised to the fullest extent and all amenities must be provided.

I would now suggest some remedies to right the situation. In the case of small industries, Government give some concessions. For the initial period of a few years, there is no income-tax. All sorts of help are given to the industries. Some subsidies are also given to these industries. Why not the agricultural industry, which is the primary industry, on which we depend every day for food, be given all this help? You and I and all of us cannot get on and pursue our jobs unless somebody produces things for us to eat and live. We are sitting in an air-conditioned chamber, but we want something to eat. Who

produces the foodstuffs? It is that man living in the rural area, the people who spend their lives on the land, the people work on the land. Their land and their labour are inextricably mixed up in such a way that they cannot but pursue their occupation, and they must be given all help. We shall depend on them a great deal. Unless they do their work, we cannot maintain ourselves.

That is why, just as the industries are subsidised for an initial period, for the construction period till the plant is commissioned, and just as they are given many kinds of aid, agricultural industry should also be subsidised. Subject to correction, I may say that in the United Kingdom and the United States of America, there is some sort of subsidy for the agricultural sector. If not on the same model at least on the same criterion, and akin to that, why not something be done to see that these people are subsidised? In the case of sugar, the grower is subsidised so that he can produce more. Sometimes, there is slump and something there is scarcity. Only a portion of the agricultural sector, that is sugar, is being helped. I want to see that the entire agricultural sector, irrespective of the fact whether it is a cash crop or a commercial crop or any other crop, is subsidised and helped. This is one of the remedies which I suggest. Government should take upon itself the responsibility of fixing some sort of subsidy for agriculture.

My second point is about the community development programme. I hope I will be pardoned if I say anything about this particular Ministry. It is a very delicate thing to say either for or against particular Ministry. If something is said in favour of the Ministry nobody will take any objection, but here I have much to say against it, the reason being that everything is not quite all right in this Ministry.

Madam, I come from the village side and I know how the community

development programme is being worked out, how the Extension Schemes and National Development Blocks are being worked there. I am not taking this opportunity to tell you all my grievances. As a matter of fact, we must take only the essence of it and not find fault with it. What I want to say is, the community development programme must also be co-ordinated in such a way as to see that the people have extra enthusiasm to work on their land. That is not there at present.

My next point is about the Minimum Wages Act. It is very difficult to apply the Minimum Wages Act to all industries, particularly to this agricultural industry. There are certain difficulties; I quite realise it. But very often the Ministers meet at State level, they meet at the Central level and other people connected with this industry also meet. They call out their experiences, sometimes compare notes and sometimes gain something from the experience of others by such comparison. We are able to reach some sort of conclusions as a result of these various meetings and conferences. The Minimum Wages Act is being reviewed, I should say, once in three or four years or once in a year. Still the progress as regards the implementation of this Act uniformly in all the States is not quite happy. Unless the Minimum Wages Act is made applicable to all the industries uniformly as far as possible, with slight variations according to the locality or the place, we may not be able to get jobs for these people throughout the year. The reason is, as I have already stated, there is a relevancy between land and labour.

Unless the peasant proprietor is assured much ahead of the season that the price of a particular commodity will be such and such, he will not be able to put forth extra investment to produce more. They depend upon the seasonal variations and market values. Sometimes what happens is, they produce more, they do not get the proper price, they are unable to wait for long.

[Shri N. R. Muniswamy.]

they seek the assistance of these intermediaries who take away their entire produce for a song. They are forced to sell their produce like that because they have nothing else to fall back upon.

This is the primary industry in our country. This is the life-line of our economy. This is the only economy on which we can always depend. We need not depend upon foreign exchange as far as this industry is concerned. We have only to use our domestic exchange, and that is our own men. We must use our labour and produce more. Therefore, we should give an incentive to the peasant proprietors to invest more. I am not going to deal with the various reactions that arise out of it, but so far as these peasant proprietors are concerned they must be given an incentive to see that they invest more to get more produce. For that we must assure them of a fixed price for the commodity.

There will be some difficulty in fixing the price of a commodity much ahead of the season. I know the difficulties, but even then they can work out a reasonable price from the data that is available with them much ahead of the season. If only that is fixed and the peasant proprietors are assured of a reasonable price they will also give a correspondingly good minimum wage, if not more, to the labourers and also see that the labourers work for six to eight hours. We know how in the non-agricultural industries the labourers do not work for eight hours. They are, of course, there for eight hours, but their real work according to me will only be for four or five hours and for the rest of the time they will be either talking or just showing that they are working. Therefore, I would say that unless we fix the minimum prices for all the commodities much ahead of the season, we may not be able to achieve our targets. Since the proprietor or the landlord knows how many *kalam*s or maunds of paddy, ragi or jowar he will get out of his land, if the prices

are fixed before the harvesting season, he can know the value that he will get out of his land and, accordingly, he can pay to his labourers. So that, the labourers working in the fields will also get more money if the prices are fixed in advance.

As regards the difficulties which the Government might possibly encounter in fixing the prices, I will not listen to them for this reason that there is no use of giving explanations, the more you stand condemned for this reason that there is nothing wanting in the armoury of the Government for not being in a position to fix the prices, if they make an honest effort just as they have done in the case of cane-growers. The price of cane has been fixed with the result that the cane-growers are producing cane in large quantities. Likewise, this section has also to be looked into from that angle.

Lastly, I come to the psychology of the people. I find from experience that the labour class are of two types. There are the industrial labour who are guided by their union leaders. They agitate for their rights and they are able to get what they want. But the labour belonging to the unorganised sector are not able to get a decent wage. Though everyone of us, including the Government, sometimes say that the labour in this sector must not be ignored and they should not be neglected, they do not have proper advocates to plead their cause. Therefore, unless we change the psychology and see that these people are helped, nothing is going to come out of pious hopes.

We all are aware that the agricultural labour belong to the backward class. Backward people need not necessarily mean people who have no money. But I must say that there are certain sections of the people, Scheduled Castes, Scheduled Tribes and other backward classes, who always live only in the rural areas. They do

not know what an urban area is. Of late, there is some movement from the rural area to the urban area because they are enamoured of the glamour and the thunder and lightening of town life and the dazzling of town life and they want to have a change in their attitude and behaviour. But excepting a few people, about 10 to 15 per cent, who move from the villages to the urban areas, most of the people still continue to live in the villages and they have to be looked after by us.

These reports only help us in understanding the real position of the labourers. But the remedy suggested by that report is one of legislation. Legislation is not going to help. Land legislation and other ceiling legislations have been promulgated with a view to see that these people are helped. But ultimately what happened? The area that is now brought under cultivation is not much. Still, there are innumerable pieces of lands, lakhs and millions of acres, which are not cultivated. There is the Bhoodan movement. But what is the result of it? People have given lands which are useless as Bhoodan. How can such lands be utilised unless those lands are reclaimed and more money is invested in them? People who are charity-minded are only few in number. Only such people given good cultivable lands as Bhoodan. Most of the land given as Bhoodan are not land worth the name.

Taking all these factors into consideration, I am of the view that the agricultural labour should be brought on equal footing with the industrial labour. So, I only wish that the Government would give some thought to the suggestions I have made as regards the fixation of prices, minimum wages subsidy for this industry and diversification of other small-scale industries in the rural areas to supplement the income of the agricultural labour, because their income is only seasonal, and for the rest of the

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year they have no means to supplement their income. I would request Government to see that these things are taken care of and the agricultural labour are helped.

Mr. Chairman: Motion moved:

"That this House takes note of the Report of the Second Enquiry on Agricultural labour in India (Vol. I—All India), laid on the Table of the House on the 21st December, 1960."

Shri Nagi Reddy (Anantapur): Madam Chairman, the country and the Parliament had been waiting for this Report to be presented for quite a long time. I think it was somewhere in 1954 or 1955 that this Committee was appointed to go into the conditions of agricultural labour so that the Government would be able to plan the future programme for this huge mass of the people in our country who are something like 24 to 30 per cent of the rural households. After something like five years of study and collection of data the House was presented with the report at the fag-end of 1960.

This Report is certainly a very revealing document. It has highlighted the conditions of life of probably the most harassed and exploited class of people in our country. This Report has told us and has given a warning to the country that the condition of these people in all sectors of their life is deteriorating very fast and has to be taken note of in what are known as our developmental plans.

The first point that the Committee has made is the fact that the agricultural labour population without land has increased in percentage between 1950-51 and 1955-56 from 50% that polarisation is increasing fast, that even the little to 57% of the total agricultural labour; land that they probably had has gone out of their hands, that the agricultural labour population which had probably

[Shri Nagi Reddy.]

an acre or two of land has now lost it in between those years. Therefore the result of it has been that amongst agricultural labourers with and without land the percentage of those without land has increased. I am sure if another enquiry is made in 1960-61—I hope if it is made, it will not take five years for them to present the report—and if its report is presented within a year or two, you will find that in these years there has been a greater increase in the number of households who have lost their land and, therefore, the percentage of agricultural labourers without land will certainly be more than what has been reported in the Second Agricultural Labour Enquiry Report.

The second fact, which is very important, is that the number of unemployed days has increased. After all, the agricultural labourer gets only a seasonal occupation and that too at the most for probably one-third of the year, not more than that. The number of unemployed days was 110 days according to the Report, that is, on an average. I do not know how it can be. People who come from the villages, as I do, know that an agricultural labourer does not get work on an average for, say, 200 days. All the same, even taking it as true that the agricultural labourer has been getting employment for something like 200 and above number of days, according to the Report, we are told that the number of unemployed days has increased from 82 to 110 per year. That means, agricultural labourers without land have increased in number and the number of their employed days have decreased. What about their wages? The wages of agricultural labourers in these years have gone down from 109 naya paise to 96 naya paise of an average. Wages have therefore, quite naturally, the annual income drops. When we are finding that the national income in our country is increasing, the per capita income of the people in our

country is increasing on an average, it is a curious phenomenon to find that so far as the 24 per cent of the agricultural labour population or the rural population is concerned, their per capita income is decreasing and their annual income is decreasing and is a very serious matter. I should say that it is an explosive feature. If the Government is not capable of understanding this serious situation, I would not be surprised if, after this lethargy among the people who have been silent, too silent for the misery that they are undergoing, some day, it explodes like a volcano. The Government must take note of this very serious factor of decreasing number of days of work, and decreasing wages that is taking place.

Added to this, may I remind, here is another feature,—step after step, it is very logical—that the number of households in debt amongst agricultural labour families has increased from 45 per cent to 65 per cent and the amount of debt per family has increased from Rs. 47 to Rs. 88. Employment of child labour from 4.7% to 7.6 per cent has shot up. All these features point out to one very important factor that in our country, even after Independence, the feudal remnants that are living in our country are strong enough yet to control the rural economy. It is the feudal remnants and the feudal type of agriculture which has been developed in our country that has been the reason for stagnation in our agricultural production. It is the reason for the extremely miserable condition of the vast masses of people in rural areas. This, in general, is the condition of the people.

It does not end itself there. Of course, I do not want to quote from the report, because the report is so vast and I do not want to take the time of the House. The Government must also note one very important

factor that in the villages, agricultural labour is not free labour. He is not free. It is not like industrial labour selling his labour to anybody he likes. It is not so. Every one who lives in a village knows that an agricultural labourer in debt is indebted on his own, but completely, the whole of his family is indebted. A debt, once he incurs, is never repaid, it can never be repaid. I know of agricultural labour families who have been attached labourers in landlords' families. I myself come from a landlord family and I must be knowing what the condition exactly is. The grandfather, father and the child, one after the other, continuously are attached labourers in the landlord's house. I am sure that the son will hand over the legacy to his son unless the Government takes it into its head, not through community projects, not through national extension schemes, but through a very fundamental economic and social change, to break up this fundamentally nasty system that has developed in our country, due to the feudal legacy which is still surviving. Are you prepared to do it, is the question. Are we prepared to give that amount of independence, at least independence as a labourer? I am not talking of independence that one must become immediately a crorepathi or a lakhipathi. To talk of free education, to talk of educating every child in the country is almost an impossibility when you are facing an economic situation wherein the child is not free to go to school. Don't you see that? Can't we imagine that condition? Therefore, the increase in the employment of child labour which has shot up from 4.9 per cent. of the total labour to 7.6 per cent. is a phenomenon which only shows that the grip of the indebtedness which the agricultural labour has got into under the landlords is so heavy that they will not be able to get out of it. And I may say that the debt which the agricultural labour family is facing due to decreasing wages and due to the decreasing number of days of work is

also forcing them to go and mortgage their son into the landlord's house.

Added to this, we must also remember that there is another feature. At page 240, the Third Five Year Plan gives us an enumeration of land holdings of all sizes in our country, State-wise. If we look at these figures, we can see the contrast which is there so patent in rural life. It talks of only those people having some land; it might be one cent, or one acre, or two acres, or hundred acres or thousand acres.

Taking the case of Andhra, I find that 47.4 per cent. of the agricultural landholders holding not more than 2.5 acres of land each own only 7.9 per cent. of the total land. This category, I am sure, is mainly agricultural labour category; this cannot be anything else, and I am sure that they will not be able to survive on this small piece of land which they hold. While 47.4 per cent. of the agricultural holders hold only 7.9 per cent. of the land, here is another phenomenon that 0.4 per cent. of the landholders owning more than 100 acres hold in their hands 10.1 per cent. of the land. Or, to put it in much more concrete terms, if 47 per cent. of them hold 14 lakhs of acres in their hands, 0.4 per cent. of them hold in their hands 18 lakhs of acres. This is a feature which Government should understand. If they are prepared to go through the statistics which they have printed, probably hoping that nobody will go through them, if they are prepared to go through these things and try to understand the economy in the village today, and also understand how the grip of the people at the topmost level is capable of squeezing out the life of the lowest of the low in our country, then, they will come to a proper understanding as to what is to be done.

Immediately we shall be told, Therefore, we are thinking in terms of land reforms, and of changes in social and economic conditions; all

[Shri Nagi Reddy.]

these things are being done one after the other; you cannot do it in a flash. I can quite understand that nothing can be done in a flash. But are we doing it? Are we doing it in the way that we have accepted to do?

Take one very simple example. Take the case of the cultivable waste land in our country, which, we are told, runs to millions of acres. What has happened? Quite a good number of the agricultural labour families as a result of their extraordinary physical labour, have gone and occupied a bit of those lands, probably for fifteen or twenty years, and have been cultivating them, even paying penalties to Government year after year. But what are Government doing for those people? In my State, in the name of those lands having come under the Krishna Barrage scheme, in the name of those lands having come under the Nagarjunasagar project, in the name of those lands having come under the Tungabhadra High Level Canal scheme, Government are telling these people to vacate those lands, because they are going to auction them. It is a very serious problem. When we are having land reforms, we are evicting agricultural labour that has been occupying those lands for some tens of years, and who have made it cultivable land after immense physical labour. Today, Government are evicting them. What for? Their simple reason is this: "I have built this project, it has cost me Rs. 33 crores. Where am I to get that money? I must get that money out of the land that is going to come under this canal. You may have cultivated it, but the land is mine." So the Government automatically becomes the landlord, and not an ordinary landlord, but worse than a feudal landlord, because it is not prepared to give it to the agricultural labourer, it is only prepared to auction the land. When land is auctioned, who gets it except the biggest and the highest bidder? Shri N. R. Muniswamy said incentive should be given for better cultivation. Is this the way of giving incentive to

millions of people who are not less than 24 per cent. of the rural population?

Therefore, the first and foremost thing to do, which can be done immediately also, because the land is in the hands of the Government, it is not in the hands of private landlords, is to distribute and not auction these lands. It is in your hands. So, the first and foremost thing is to distribute the cultivable waste lands in the hands of the Government to these agricultural labourers who are either in occupation now, or who have not yet occupied.

Are they prepared to do it? Is there a categorical answer? I am sure there is none because year in and year out it has been a struggle going on in my State for keeping these lands which have been in the hands of the agricultural labourers. This is the case in Krishna district, in the case of the Nagarjuna project where even though the project has not yet been completed, Government is trying to evict them for the reason that the canals are going to come; not because they are in the way, but because with the canal coming the land will become valuable, and they cannot be certainly given that land. This is the argument of a *baniya*. I do not expect this of a socialist Government, unless the Government only calls itself socialist, while actually, inherently, its mentality is that of a *baniya*. One of these two things should be true.

Pandit K. C. Sharma (Hapur): On a point of order, I may inform him that the Supreme Court has held that *baniya* is a contemptible term, and that it comes within the scope of defamation.

Mr. Chairman: There is no point of order.

Shri Nagi Reddy: I withdraw it. If it is so, I have no objection to withdraw it.

Then there is the question of the Minimum Wages Act. It is a very important Act, and has certainly done some good so far as industrial establishments are concerned. I do not blame the Government alone for not implementing it. It is not so easy to implement it, I can understand that, but there is one way of implementing it. That is the way of educated, conscious political leadership. That is where I blame the leadership of the political parties of this country, including me and you. I do not escape the blame, because I know that I have myself not done justice, even though I am certainly doing and moving in that direction. That is because agricultural labour is vastly scattered. Have a movement for rousing the political, social and economic consciousness of the agricultural labourers, have an organisation for it, and much more important, have a brave leadership for it. Otherwise you cannot make a move.

I know of quite a number of villages, where it is difficult to enter without the permission of the head of the village. It is an impossible thing. Even the Prime Minister of the country will not be able to do it if he relinquishes his Prime Ministership and goes there as a Congressman. I can give him a guarantee of that. There is the famous village of Dorigalu, I did not want to name it.

What is happening? How are you going to implement the Minimum Wages Act there? It can be implemented if the political parties, without animosity among themselves when it comes to a question of implementing particularly such piece of legislation, act and move unitedly in the interests of the lowest class. There is a possibility. It can be done and it should be done. Are the Congress Party, the Government and the Opposition parties prepared today to take the oath that this should be implemented with the vigour and leadership which the nation requires? About the Communist Party, I am prepared to say that we are prepared to join hands with any-

one who is prepared to see that the Minimum Wages Act is implemented wherever it is not implemented. How can we expect the Tahsildar or the Revenue staff to do it? How can you expect the Village Munsif or the Village Karnam to do it? The Village Karnams are antagonistic to this Act. Therefore, no Act of this nature can be implemented by governmental power alone unless the party in power takes its own active workers to go into the field to implement it, and get the support and co-operation of other social workers and political parties. The agricultural labour must have an organisation of its own to fight for its rights and this minimum wage is one of the rights. Are you prepared to do that?

The third and the final thing is the question of land reforms. I do not want to enumerate them. We are told that land reforms are coming. I do not know when. But we have given so many exemptions. All those lands which are well cultivated and are under first class management will not be distributed. Who does not manage in a first class way today when the Government is giving millions of rupees as loans and grants to the landlords for the purchase of tractors and improved agricultural implements etc. and to make first class capitalist farms in the villages? The landlord class is taking advantage of the governmental machinery to make itself into first-class farming society so that its lands are not distributed.

Gardens will not be distributed. Lands under sugarcane cultivation will not be distributed. So, when we give up all these things, what happens? There is no land for distribution. Will Government appoint a committee to go into the working of the land reforms in the villages and see how far they have benefited the classes? Working of land reforms is not, after all, an ordinary thing. It is an economic and social revolution in the countryside.

Why are you not able to implement the land reforms? Because the reforms have innumerable loopholes. It

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is impossible for anyone to get any piece of land from any State for distribution. The Land Reform measures instead of reducing concentration of land in the hands of landlords, I should say, has only increased the concentration in a different form. Nagi Reddy as the head of the family might have been owning 1,000 acres of land some three years ago. But he does not own them in his own name; he owns them in the name of his son or his wife or some other person. And, thus, he becomes exempted from the land reforms. The form has changed but the content remains the same; the concentration of land in our country has not changed. Therefore, I foresee that the result is going to be greater concentration in the hands of a few and greater increase in the number of agricultural labourers and greater misery to these people because you are not able to give them minimum social and economic conditions essential for their growth.

I can even tell you here that we are not going to break agricultural stagnation here that has taken place in the country. I hope Government will take this report in all seriousness and take into consideration the whole of the Indian rural life as it is and see that fundamentally unless we are prepared to change the whole structure of the economic situation in our village life, we will not be able to help agricultural labour. We will not be able to help it only through Community Development Projects or National Development Schemes or by having some schools opened here or some roads and houses built there and so on. I am sure the Government will take this up very seriously, at least after going through this report.

Finally, I would request the Government that we should not stop with the second enquiry. A third enquiry report should come. Let not that report come after the Third Plan is over and when you are on the anvil of the Fourth Plan. Let it come much earlier, before we prepare the Fourth

Plan so that the information will be useful for the preparation of the Plan itself.

Shri Surendranath Dwivedy: This report, if it reveals anything, it reveals the miserable state of affairs that exist in the lowest levels of our rural society and it confirms the view that all our planned economic activities do not benefit the under-dogs in this country. We should congratulate really those who have prepared this report. This is the first authentic report which gives a very clear account of the effect of the economic policy of this Government. It would have made a very good comparison for us if the other committee which is to go into the distribution aspect of our national wealth in this country had made its report available. It would probably reveal how the real advantages and the real income that are increasing in this country more and more are going into the hands of a privileged few in our country. I think probably that the committee, after preliminary study, has come to the conclusion and their interim conclusions are such that if they are published that they will expose the entire basis of this Plan. Therefore, that report is being delayed. But this report is very depressing and painful. These people form 25 per cent of the rural population of our country. You cannot ignore such a vast mass people and build your plan saying that you are giving more emphasis to agriculture and you want to increase agricultural production and revolutionise village life. All these talks are mere talks on air and has no basis. Unless these 25 per cent of the village people are looked after properly and have their pride of place in the society, things will not improve. My hon. friend who spoke before me has given quotations from the report to show how the actual condition of these workers has not only not improved but has become worse than what it was according to the previous report.

Who are these communities? They are the agricultural labourers; they are not only landless people. There are small land owners also. There are tenants and landless people; a large section of them belong to the backward communities who suffer not only from economic difficulties but from social disabilities as well. They are the real, under-privileged sections of our society. So, for any Plan what so ever, our first attention should have been devoted to this section, but we have completely neglected that section, as it revealed here.

17 hrs.

This report shows that the per capita income of an agricultural labourers household is 34 per cent of the national per capita income. In the previous report, the employment available to these people—the quantum of average employment available—was shown as 200 days. Now in 1956-57 it has declined to 197 days. About wages, it is better not to mention it. There is of course the Minimum Wages Act, but the third Five Year Plan itself describes how difficult it has been to enforce the provisions of that Act. The situations vary from place to place. It is a difficult and complicated problem no doubt. But I feel there has not been any systematic attempt to see that the provisions of the Minimum Wages Act are enforced.

About wages, the actual position or state of affairs is this; even if the entire family of an agricultural labourer works in a village, that family will not be able to get that much wage which a single industrial worker gets. As has been very rightly said in this report, in view of the general dearth of employment opportunities in the rural sector, any type of work at which the labourer can try his hands is good enough for him, whatever the remuneration it may be fetch.

What have we done to improve these conditions? Not only, are the

people more dependent on agriculture, but there is another aspect also. This report shows that whereas previously in States like Uttar Pradesh, Assam and Kerala, there was practically no child wage-earners, now, as a result of our planned activities, when more money is coming to the people, and when it is said that we are in a socialist pattern of society, child wage-earners are reported to be employed in all the States in 1956-57. This is the position, when we want to abolish child labour! So, I do not know what can be a better condemnation of this Government than the report itself.

Take housing. We are spending much money on housing. But I am really sorry to say that this money is being spent mostly in urban or semi-urban areas. The rural people practically get no benefit whatsoever. The real position is very well described here. What is the condition of housing?

"The village houses do offer some sort of shelter against sun and rain to dwellers but they have no latrines, no protected water supply and no public cleansing. Men and cattle live in close proximity; mosquitoes and flies swarm; and rats about in the huts and hovels.....The interior of the house is generally clean, but the surroundings are dirty. The village pond is green with algae and is constantly polluted.....Public eating houses are uncommon, but an insanitary tea shop or coffee house is easily found."

This is from a health report of the Government of India. This is the general condition of rural housing. It is insanitary and un-hygienic. The condition of agricultural labourers who belong to depressed classes and backward communities could reasonably be assumed to be much worse.

So, that is the state of affairs. Therefore, I would have thought that before we had planned for the Third Five Year Plan and the Plan allotments

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were made sufficient attention was given to this aspect of the problem. I am not going into the question of negligence on the part of the Government in enforcing the provisions of this Act or that Act. It is a fundamental problem facing us now of a very serious nature.

If you see the Third Plan, they only gave you some homilies. They say that in the First Plan they had said about settlement of agricultural labourers, protection against evictions etc. It has been found out that people in large numbers have been evicted from lands after the so-called land reforms legislation were passed in the different legislatures. In the Second Plan also they stated something about the development of this sector. What do they suggest in the Third Plan? They have devoted some pages for it, but there is no concrete suggestion which would show that the conditions of these people during the course of the Third Five Year Plan is going to be any better. The only thing that they hope perhaps is that because of the community development projects—we are to begin this very much, that a new revolution has come, a new pattern has developed even though we know who has benefited—they would probably be able to a greater extent to improve the conditions of these sections of our people. Excepting this, I find nothing in the Third Plan which concretely suggests to ameliorate the conditions of these people.

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): Which people, agricultural labour

Shri Surendranath Dwivedy: The people about whom we are discussing—are agricultural labour. This report itself has made a comparative study of the community development areas and the non-community development areas. The figures are there for the Deputy Minister to see—I won't read out the figures. Their conclusion is:

"It would appear from the above statement that there was

hardly any improvement in employment in the community project areas."

Therefore, the benefits will go to the landlords and to the great land owners. The benefits are actually going to them.

An hon. Member: No, No

Shri Surendranath Dwivedy: You may say no, but it has been revealed in the evaluation reports regarding Community projects, in the Third Plan of the Planning Commission and others. If you take pains to read them you will find that actually the benefits are not going to this section of the people.

Therefore, I charge this Government. There is no point in going on elaborating the miserable state of affairs of these people which have been so fully described and brought out in this report. I feel that the way we are proceedings and the callous manner in which we are neglecting this very vital sector of our rural society would ultimately lead us to the position that the entire rural life in this country will be completely at the mercy of the industrial sector and the capitalists.

17.10 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

That will be the total outcome, that will be the real state of affairs, when the Third Five Year Plan is complete. Therefore, I would have very much welcomed if, instead of a private Member giving notice of a motion and ours getting a couple of hours only to discuss it, the Ministry themselves have come forward to take the opinion of this House on this Report because it is not only, as I have stated and the previous speakers have pointed out, the economic point of view that has to be considered, for there are other aspects to this problem which will require the attention, co-operation and active support of various sections of our people. So, I would have thought that if the Government themselves

were serious about removing the miserable condition of these people, they themselves would have come forward to discuss this report and take the opinion of the House. They have not done that, and that shows how they are tackling this problem.

Mr. Deputy-Speaker: Ch. Ranbir Singh. Hon. Members should be brief now.

श्री० रणबीर सिंह (रोहतक) : उपाध्यक्ष महोदय, इस बात से न ही यह रिपोर्ट इन्कार करती है और न ही कोई और इन्कार कर सकता है कि इस देश का सब से ज्यादा कमजोर जो घुग है वह एग्रिकल्चरल लेबर है और उसी को सब से ज्यादा बढ़ावा देने की जरूरत है। उसकी तरक्की के लिए चाहे हिन्दुस्तान की सरकार हो या प्रान्तीय सरकारें हों, सभी को बहुत ज्यादा ध्यान देना है।

यहां पर धाज की बहस में यह साबित करने की कोशिश की गई है कि पिछली रिपोर्ट के मुकाबले में इस रिपोर्ट के हिसाब से तरक्की के बजाय तनज्जुमी हुई है। लेकिन यह बात सही नहीं है। मैं उन दोस्तों को जो इस चीज को साबित करने की कोशिश करते हैं याद दिलाना चाहता हूं कि इस सदन के अन्दर माननीय श्री नन्दा जी ने बताया था कि यह जो फर्क है रिपोर्ट में, इसका कारण यह नहीं है कि उनकी तरक्की होने के बजाय घबनति हुई है बल्कि उसका कारण यह है कि पहली रिपोर्ट के अन्दर जितने कुनबे शामिल किये गये थे उनके मुकाबले में अब कम कुनबे शामिल किये गये हैं और जो कमी की गई है वह ऊपर के तबकों की की गई है, उनकी की गई है जिन की धामदनी पहले कुछ ज्यादा थी। इन लोगों को एग्रिकल्चरल लेबर की कैटेगरी में से निकाल दिया गया है जब उनको उस गिनती से निकाल दिया गया है तो कुदरती तौर पर यह स्थिति बन जाती है। यह बात हिसाब में तो बिल्कुल सही उतरती है लेकिन असल में वह सही नहीं है। जिन की ज्यादा

धामदनी थी उनको निकाल दिया गया है और नीचे के जो धामदनी हैं जिन की धामदनी कम थी, उनको रख कर ही औसत निकाला गया है जो कुदरती तौर पर कम निकलता है। हिसाब के मुताबिक तो यह चीज सही है लेकिन असल में सही इसलिए नहीं है कि कम्पैरिजन जो है वह पहले के मुकाबले में दूसरी चीज से है।

उपाध्यक्ष महोदय, यह एक मोटी समझ की बात है कि इस देश के अन्दर हजारों मील लम्बी सड़कें बनी हैं और उन के ऊपर मिट्टी डालने का काम हुआ है और मेरे माननीय दोस्त बतायें कि यह काम बिड़ला जी ने किया है या बड़े बड़े जमींदारों ने किया है।

अब वकं या मिट्टी डालने का जो काम है या सड़कें बनाने का काम है, या नहरें बनाने के सिलसिले में मिट्टी का जो काम है या लोहे के और दूसरे छोटे बड़े कारखाने बनाने के सिलसिले में जो इस तरह के काम हैं, उनको करवाने में जो करोड़ों रुपया खर्च हुआ है, वह सारे का सारा एग्रिकल्चरल लेबर के पास, उसके कुनबों के पास गया है। इससे अंदाज लग सकता है कि हिसाब किताब पेश करने का जहां तक सम्बन्ध है, वह जैसा मैं ने कहा हिसाब किताब के निहाज से तो सही है, लेकिन असल में सही नहीं है।

मैं इस बात को मानता हूं जैसा और माननीय सदस्यों ने कहा है कि उनकी हानत बयनीय है, शोचनीय है, और उनकी तरक्की करना बड़ा जरूरी है। कुछ मेरे भाइयों ने जमीन के बटवारे की बात कही है। वह भी इनकी हानत को मुधारने में मदद कर सकती है। यही कारण है कि हमारे देश में सीलिंग का कानून तकरीबन सारे प्रान्तों में बनाया गया है और उसको लागू किया गया है। इससे थोड़ी बहुत जमीन मिलेगी लेकिन असल में अगर इन लोगों की मदद करनी है और इनकी हानत में मुधार लाना है तो एक दूसरा ही काम आपको करना होगा।

[श्री० रणधीर सिंह]

कोई भी देश जो बड़ा हुआ है, तरक्की किये हुए है, उसके अन्दर हमारे देश की तरह से ७० परसेंट आवादी खेती के ऊपर निर्भर नहीं करती है। एग्रिकल्चरल लेबर की तरक्की हो नहीं सकती है जब तक कि उन में से काफी को खेत से हटा करके उनका इन्हसार किसी दूसरे धंधे पर नहीं किया जाता है। मेरी राय साफ है और आप भी इस बात को जानते हैं और दम रिपोर्ट में भी लिखा है कि उनको साल में कुछ दिन काम मिलता है और कुछ दिन नहीं मिलता है और जिन दिनों उन को काम नहीं मिलता है उन दिनों काम मिले। अब सवाल पैदा होता है कि कैसे काम हम इनको दे सकते हैं। जाहिर है कि घरेलू धंधे, छोटे धंधे, छोटे छोटे कारखाने देहातों में खला कर ही इनको काम दिया जा सकता है। इस सिलसिले में माननीय श्री मनुभाई शाह ने एक नोट सबमिटेड किया था जिस में उन्होंने तजवीज की है कि एक बोर्ड बनाया जाये और उस बोर्ड के पास तृतीय योजना में ढाई तीन सौ करोड़ रुपये रहे और उस के साथ भाल-इंडिया खादी एंड विल्लेज इंडस्ट्रीज कमिशन, हैंडीक्राफ्ट्स बोर्ड और इसी तरह की दूसरी संस्थाओं को जोड़ दिया जाये। इस बोर्ड का यह काम हो कि देहातों के अन्दर छोटी छोटी इंडस्ट्रियल एस्टेट बनाई जायें, छोटे छोटे काम धंधे बढ़ाये जायें। अंग्रेजों के जमाने में आज से डेढ़ दो सौ साल पहले के हिन्दुस्तान के देहात के नक्शे को देखा जाये तो पता चलेगा कि इतनी बड़ी तादाद, जबकि जमीन बहुत काफी थी और जबकि जमीन के बारे में आज जो कानून है, वे नहीं थे, किसी के जमीन पर खेती करने में कोई बहुत ज्यादा कानून हायल नहीं थे, जमीन पर निर्भर नहीं करती थी। इस बास्ते खेत मजदूर की तरक्की करने का सही तरीका यह है कि अब जबकि गांवों के अन्दर छोटी छोटी सड़कें बन गई हैं, बिजली भी बहुत जगह पहुंच गई है, हजारों हजार छोटी छोटी एस्टेट्स हम बनायें,

इंडस्ट्रियल एस्टेट्स हम बनायें, छोटे छोटे कारखाने लगायें, जिन में से कुछ बिजली से चलें और कुछ हाथ से चलें हाथ के धंधे जो हमारे कारीगर किया करते थे, वे करने की उनको सभी सहायितयें देने की व्यवस्था की जाये। कुछ धंधे पिछले डेढ़ दो सौ सालों में देहात के कारीगर करते थे लेकिन अंग्रेजों ने उनकी कारीगरी को छड़वाया और कइयों के हाथ कटवाये। तो वह जो हमारा पहले समाज का नक्शा था उसको हमें रिहैबिलिटेट करना है।

मैं यह कहे बगैर नहीं रह सकता कि पिछले दो प्लान्स के अन्दर, पिछले दस साल के अन्दर, जो देहात की कारीगरी, रूरल इंडस्ट्रियलाइजेशन, की तरफ ध्यान देना चाहिए था उतना नहीं दिया गया, देहात की इंडस्ट्रीज की तरक्की के लिए जितना ध्यान देना चाहिए था उतना नहीं दिया गया। और जब तक वह नहीं किया जायगा तब तक इस देश के अन्दर कोई भी लैंड रिफार्म करने से एग्रीकल्चरल लेबर की तरक्की नहीं हो सकती, कुछ हद तक हो सकती है यह मैं मानता हूं।

मैं सीलिंग के खिलाफ नहीं हूं, मैं उसके हों में हूं। मैं यह भी मानता हूं कि कानून बना कर एग्रीकल्चरल लेबर की मिनिमम वेजेज भी मुकर्रर करनी चाहिए और उस कानून को लागू करना चाहिये। लेकिन कानून के लागू होने से कोई यह समझे कि यह समस्या हल हो जायेगी और खेत के मजदूर की ग्रामदनी बढ़ जायेगी, तो वह थोड़ी बहुत बढ़ सकती है। लेकिन उसका असली हल वह नहीं है असली हल तो देहात में कारखानों का बढ़ावा ही है और जब तक हम उसकी तरफ नहीं जायेंगे तब तक हमारी ग्रामे वाली रिपोर्टें भी ऐसी ही दिल को तोड़ने वाली होगी। मैं चाहता हूं कि मंत्रालय सरकार के ऊपर जोर डाले और ३०० करोड़ रुपये के साथ वह बोर्ड बनाया जाये और एक एक देहात के अन्दर छोटे और बड़े कारखाने बनाये जायें।

Dr. Melkote (Raichur): Mr. Deputy-Speaker, I congratulate the authors of this document in that they have highlighted the problem of agricultural labour. It is a fact, as stated by the Government itself and the report presented to us in the Third Five Year Plan, that the nation has progressed in the last 12 or 13 years, considerably, and that the national income has gone up to a large extent, raising the standard to an extent that is felt in some of the urban areas. The income of the working class population today is on an average Rs. 100 to Rs. 120 as in Ahmedabad, Bombay, Madras and other places. It was expected that, in view of the large sum spent in the rural sector, in developing the rural economy, in developing agricultural operations and the improvements made in the expansion of Khadi and other village industries, the rural agricultural population would benefit to a large extent. It has been seen from the report that that has not taken place.

While the report says that some of the categories that were included in the 1950-51 enumeration have not been included in the present report and therefore, a proper estimation would not be what it apparently appears, it appears to me that the attention that the Government has to pay towards this problem has not been sufficiently paid. I say this for the simple reason that the number of hours of work has remained the same, the population of agricultural labour has increased considerably and child labour is being utilised, minimum wages are not being paid properly and some of the Acts like giving compensation and other things are not being applied to this sector. In a large country like ours, it would be difficult for any Government, with its meagre machinery, to implement them. Enough has been said on the floor of the House that there should be a large inspectorate appointed by the Government to look into these things. Even so, for the time lag that it takes, for the litigation that one has to go through, for the time it takes, we felt that the agricul-

turist himself should go to these people and lodge a complaint. In lodging a complaint of this type going a distance of 8 or 10 miles, he has to waste a whole day on which he could otherwise work and earn. Therefore, it is felt that the inspectorate should visit these places and take the complaints and look into the whole matter. None of these things has taken place. Now, the question arises as to what should be done. I can go into the details of the report, because I have read it thoroughly. But the main question is what should be done.

The problem again poses itself this way, namely whether we are going to industrialise the country and increase the employment potential that way and allow these people to suffer for another thirty, forty or fifty years before we catch up every individual and give him employment, or we are going to attend more to the rural sector and give some kind of employment which at least gives them a living wage at present, and tackle the larger industrial problems later.

These are the two questions which are being discussed by the economists, and by large, on account of the various situations in the country both inside and outside, and the trouble that we are facing in the border, and the threat of a cold war developing into a hot war at any time, industrialisation of the country rapidly is believed to be essential, and, therefore, we are investing quite a large sum of money in the basic industries and others. Even so, I would make it clear on the floor of this House that so far as the consumer industries are concerned, unless we immediately place some kind of embargo on their development in the urban areas and spread them into the village sector and give more subsidy for their development in the rural sector, we shall not be able to give any substantial amount of relief to this section of the population.

If we have got to tackle this problem, it is not in the political field. Some of the Members here have spoken that way. Actually, one Member, namely, Shri Nagi Reddy gave a chal-

[Dr. Melkote]

lenge and said that if the Prime Minister, as an ordinary citizen, came to a particular village, he would not be able to go there. May I similarly give a challenge, namely, that these challenges have been accepted by us, that people have gone there, and that those villages, where my hon. friends say that they have got their hold, have voted against them in all these elections? So, what is the use of these challenges? If that was the factor which was operating, then, there would have been a majority of that group here in this House. But they are not there; they are not even a handful from that particular area from which they come, and still, they want to say these things on the floor of this House.

Shri Ram Sewak Yadav: It is Birla's money which has given you strength.

Pandit K. C. Sharma (Hapur): And yours is the Russian money or the Chinese money?

Dr. Melkote: After all, people are not blind to facts. It is no use saying 'Birla's money' and all these things. We also know, and people inside the House also know. After all is said and done, we have got to take into consideration the actual condition of these workers. Something has got to be done. If that something has got to be done, as I said, then, we must take as many of these important industries like the consumer industries, and particularly food and cloth—because it is these two things that are consumed maximum in any country and it is these two industries which give the maximum employment—to the village sector. Secondly, there should be the development of more of these medium and minor-sized irrigation projects, not the big ones so much as these medium and minor ones, all over the country. Fourthly, as has been envisaged in the Third Five Year Plan, there should be an increase in the cottage and rural industries, and fourthly, there should be development of ancillary industries.

In regard to the development of ancillary industries, I would point

out that in India, even today, many of the big industrialists manufacture right from a pin up to a car in their own industrial concerns. Many of these things can be dispersed both in the backward areas and in the rural sector.

By developing these things, as has been done in Japan and Switzerland and Sweden, we should be in a position to give a large employment potential to these people. Along with the income from agriculture, if the agricultural labour can supplement it with some kind of wages through these industries, their income would go up, unemployment would go down and the condition would better itself.

This is such a large subject on which one would like to talk at some length. I had only wished that a larger number of Members were present here and the time were extended. With these few words, I place before the House my view that this is a matter worthy of consideration at the highest level, and a good deal of attention has got to be paid to it by Government, if any relief is to go to this particular sector.

श्री राम सेवक यादव (बाराबंकी) :

उपाध्यक्ष महोदय, अभी मैं ने अपने माननीय बुजुर्ग की बात सुनी और जब कभी भी गरीब लोगों के सवाल उठते हैं, चाहे वह खेत मजदूर की शक्ल में हों, चाहे हरिजनों और पिछड़ी जातियों की शक्ल में हों, चाहे योजना का सवाल हो, तो यह बहुत जबरदस्त तर्क दिया जाता है कि इसे राजनीति का प्रश्न नहीं बनाना चाहिए। अब मैं आपके द्वारा बड़े अदब से सरकार से जानना चाहूंगा कि आखिर यह राजनीति होती किस लिए है? अगर राजनीति और योजना गरीबों को नहीं उठा सकती तो हम कुछ भी कल्याण नहीं कर सकते। राजनीति में हम रहें और उसी राजनीति को हम गाली दें यह मेरी समझ में नहीं आता है।

उपाध्यक्ष महोदय, इस देश में दो प्रकार के दुःख हैं—एक तन का और एक मन का। कुछ लोग ऐसे हैं जिन्हें केवल तन का दुःख है

तो कुछ ऐसे हैं जिन्हें पेट का दुःख है। लेकिन इन के अलावा कुछ लोग ऐसे भी हैं और जिनकी कि संख्या काफी है, जिनको कि तन और मन दोनों का दुःख है। अब यह कौन लोग हैं? यह हमारे गांवों में बसने वाले खेतिहर मजदूर हैं जोकि गांवों में बसी हुई जनसंख्या का २५ प्रतिशत हैं। उनकी आर्थिक और सामाजिक दोनों समस्याएँ हैं। वह कौन लोग हैं? वह हमारे हरिजन, आदिवासी और पिछड़ी जाति के लोग हैं। यह सब खेतिहर मजदूर हैं और यह खेतों में काम करते हैं। उनकी अवस्था दयनीय और शोचनीय है।

हमारे अनेक माननीय सदस्यों ने उनके सम्बन्ध में अपनी अपनी बातें रखी हैं। हम गांवों में उन के घरों को देखें, उनके कपड़ों को देखें और उनके भोजन को देखें तो हम यही पायेंगे कि शायद हिन्दुस्तान में सब से ज्यादा दुखी लोग ही हैं। उन के दुखों को हम कोई बयान नहीं कर सकते कि किना उन लोगों को दुख है। यह खेद और दुःख का विषय है कि पिछली दो पंच साला योजनाओं में इन के दुखों को दूर करने के लिए कुछ नहीं हुआ। अब तीसरी पंचवर्षीय योजना चल रही है। उस में कम्युनिटी डेवलपमेंट के अन्दर कुछ लोगों के वास्ते मकान बनवाये गये हैं तो कहीं पानी पीने के लिए कुएं बनवाये गये हैं। इन के अनिश्चित उन की हालत में और कोई मुधार नहीं हुआ है। श्रीमान्, मैं चाहूंगा कि उनकी दशा में मुधार हो क्योंकि २५ मैकडा गांव की आबादी का यदि हम यह जाकर कहें कि हम पंचाला योजना चला रहे हैं और देश को तरक्की के रास्ते पर ले जा रहे हैं तो यह सही और अच्छी बात न होगी और न ही हमारे केवल इतना कह भर देने से देश तरक्की की ओर जा सकता है।

आजकल की जैसी परिस्थिति है उसमें खेतिहर मजदूरों की अवस्था सुधारी भी नहीं जा सकती है। मान लीजिये कि आप भी न्यूनतम मजदूरी का कानून बना दें और मैं आपको बतलऊँ कि उत्तर प्रदेश में

ऐसा कानून बना भी हुआ है लेकिन उस कानून को लागू नहीं किया जा रहा है। वह इसलिए लागू नहीं हो सकता है क्योंकि वे लोग गांवों में इस तरीके से फैले हुए हैं कि उनका अपना संगठन ही नहीं बन सकता है और न ही उनको संगठन बनाने में कोई सहायता मिलती है।

मेरे पास बहुत सी ऐसी मिसालें हैं कि जहां बेगार ली जाती है। बेगार के खिलाफ भी कानून बना हुआ है लेकिन बेगार अब भी उन से ली जाती है। मजदूरी उनको नहीं के बराबर दी जाती है—४, ६ या ८ घाने रोज बतौर मजदूरी के उनको दिये जाते हैं। लेकिन जो लोग उनसे बेगार लेते हैं या उन्हें कम वेतन देते हैं उनके खिलाफ कोई सरकारी मशीनरी काम नहीं करती और न ही उन बेचारों में कोई जागृति अथवा संगठन है जिसके कि द्वारा वह अपने अधिकारों को प्राप्त कर सकें। अनेकों मिसालें ऐसी हैं जिनमें गांवों में उन बेचारों से बेगार ली जाती है और बहुत ही कम मजदूरी दी जाती है और सरकार यदि चाहे तो उसके जो न्यूनतम मजदूरी अथवा बेगार के खिलाफ कानून हैं उनके मातहत ऐसे लोगों को जो उन कानूनों को तोड़ते हैं और जो गरीबों का शोषण करते हैं उनके खिलाफ कार्रवाही कर सकती है लेकिन इस दिशा में कुछ नहीं हो रहा है।

जहां तक अधिकतम सीमा निर्धारित करने का सवाल है मैं उसे बहुत पसन्द करता हूँ क्योंकि उससे गरीबों को जमीन मिलेगी और काफी राहत मिलेगी। जमीन के समुचित बटवारे के जरिये हम उन गरीबों और भूमिहीनों को जमीन दे सकते हैं। चाहे हम योजना की रिपोर्ट को देखें और चाहे इस एग्जीक्यूटिव सेबर इन इंडिया की रिपोर्ट को देखें या जहाँ भी कोई अथवा अथवा बहस इस बारे में चली है तो यही चीज कही जाती है कि जमीन का बटवारा होना चाहिए। गरीबों और भूमिहीनों को जमीन देने से उनकी स्थिति सुधर जावेगी।

[श्री राम सेवक यादव]

कहीं कहीं पर इस सम्बन्ध में कानून भी बना हुआ है लेकिन मैं आपको बतलाना चाहता हूँ कि वह कानून किस तरीके का है। एक बड़ी भारी असमानता तो देश में यह पाई जाती है कि एक व्यक्ति के पास तो २४, २४ और २५, २५ हजार एकड़ तक जमीन होती है और दूसरी ओर हजारों और लाखों लोगों के पास गुजारे के लायक भूमि भी नहीं होती है। अब मैं श्री बिड़ला के लिए ही कहूँगा कि अरेले बिजनौर में उनके कई कई हजार एकड़ के बड़े-बड़े फार्मस बने हुए हैं। वह एक करोड़पति और अरबपति आदमी हैं और न जाने कितने तो उनके कारखाने हैं। अब उस इलाके में बसे हुए खेतिहर मजदूरों की कैसी दुर्दशा होती है इसकी सहज ही में कल्पना की जा सकती है। जब तक इस तरह का कानून नहीं बनता और जब तक हम हर एक आदमी को और काम तौर से खेन मजदूरों को उनकी जमीनें न दे दें, कोई काम धन्धा न दे दें तब तक इस देश का कल्याण नहीं हो सकता है। हमें इसके खिलाफ भी कानून बनाना होगा कि कुछ बड़े बड़े लोग हजारों एकड़ जमीन पर कब्जा करके न बैठ जायें लेकिन वह बड़े खेद का विषय है कि अभी तक इस दिशा में कुछ नहीं हो रहा है।

जमीन की सीलिंग करने अर्थात् भूमि की अधिकतम सीमा निर्धारित करने सम्बन्धी कानून का जो कि उत्तर प्रदेश में बना हुआ है उसका कुछ नमूना मैं आपके सामने रखना चाहता हूँ। वहाँ पर सीमा निर्धारण का कानून बना हुआ है कि ४० एकड़ जमीन एक परिवार जिसमें कि ५ व्यक्ति हों, रख सकता है। लेकिन उसके साथ प्राविजो यह लगा हुआ है कि अगर उस परिवार में पाँच पाँच में एक, एक कर के तीन सदस्य और बढ़ जायें तो ६४ एकड़ जमीन तक वह परिवार अपने पास रख सकता है।

इसके साथ ही उस कानून में जहाँ तक फेयरलैंड का सम्बन्ध है उस पर लगान के वास्ते एक आइटिमिया रखा गया है कि इतना लगान प्रति एकड़ होगा। वह डेढ़ एकड़ एक एकड़ के बराबर होगा। अगर उसमें कम होगा तो दो एकड़ एक एकड़ के बराबर होगा। इतना ही नहीं उसमें यह भी प्राविजन है कि बागान पर वह कानून लागू नहीं होगा चाहें जितने बाग उसके पास क्यों न हों। इस प्राविजो के रहने का नतीजा यह हुआ कि जब यह कानून बन रहा था तो उत्तर प्रदेश के बड़े बड़े जमींदार, ताल्लुकेदार और राजे, महाराजे बागात लगवा रहे थे। पटवारी और लेखपाल मुबारक रहें जिनके कि कारण उनको दरअसल बाग लगाने की भी जरूरत नहीं, खाली उनके रजिस्ट्रों में दर्ज हो जाय कि फलां फलाने ने बाग लगवाये हुए हैं। बाग तो वर कलम में लगाने हैं और अगर उन के रजिस्ट्रों में वह दर्ज हो जाय तो फिर उनकी वह जमीन महफूज रहती है। इतने पर ही बस नहीं है उसमें यह भी लिखा हुआ है कि अगर कोई पाउल्टरी फार्म लगाये हुए है, मुर्गी फार्म लगाये हुए हैं तो उस पर भी यह कानून लागू नहीं होगा। यदि कहीं यह डेपरी फार्म हो तो भी यह कानून वहाँ पर लागू नहीं होगा ऐसी जमीनें जहाँ पर कि फल बगैरह पैदा किये जाते हों उन पर भी यह कानून लागू नहीं होता। ऐसी भूमि जहाँ पर जड़ी बूटियां बगैरह लगाई जाती हों वहाँ पर भी यह कानून लागू नहीं होता। इन सब छूटों के रहते मैं जानना चाहूँगा कि क्या जमीन का समुचित बंटवारा करने का और गरीबों और भूमि हीनों का जमीन देने का यही रास्ता और तरीका है? यह तो महज गरीबों को फंसाए और धोखा देने का रास्ता है अगर जमीन देनी भी तो सीधा सादा कानून बनाते जिससे कि भूमि-हीनों और खेत मजदूरों को जमीन मिल सकती।

खेतिहर मजदूरों में दो तरह के लोग हैं— एक तो वह जो सीधे सीधे मजदूरी करते हैं और दूसरे वह जिनके कि पास दो या तीन बीघे जमीन है और जो कि उस खेत पर काम करके अपनी रोजी नहीं कमा पाते और मजदूरी करना चाहते हैं। दोनों किस्म के लोगों को मजदूरी करनी पड़ती है और दोनों की दशा दयनीय है। दो, तीन बीघे खेत जिनके पास हैं वह उस खेत में काम करके इतना पैसा नहीं कर सकते कि लगान भी दे दें और उनके बीज, मजदूरी, खाद और सिंचाई वगैरह का भी हिसाब पूरा हो जाये और खाली उससे उनका गुजर बसर नहीं हो पाता है। ऐसे लोगों के वास्ते चाहे वह केन्द्र की सरकार हो अथवा राज्य सरकारें हों यदि उनमें उनके वास्ते हमदर्दी की भावना है तो उनकी घलाभकर जोतों पर से लगान माफ कर दिया जाये तब जा कर उनको राहत मिल सकती है।

इस रिपोर्ट में जिक्र है कि बंजर जमीनें पड़ी हुई हैं। सरकार को धन उपजाने की और खाद्यान्न की पैदावार बढ़ाने की बहुत फिर है लेकिन इन बंजर जमीनों को तोड़ने के लिए इन गरीबों को फौज में भरती नहीं किया जाता है। उनको पैसा देकर ऐसी जमीनों को तुड़बाया नहीं जाता है ताकि उन के ऊपर खेती बाड़ी की जा सके। ऐसा करने में दो फायदे हैं। एक तो घनाज की पैदावार बढ़ेगी और हमें बाहर से घनाज नहीं मंगाना पड़ेगा दूसरे देश में बेकारी दूर होगी।

श्रीमन्, जमीन का कानून सब से गंदा कानून है और यह गरीबों को एक धोखा देने वाली चीज है। सरकार धाब तक यह नहीं तय कर पाई है कि आखिर किसान है कीन। हकीकत यह है कि धाब बहुत किसान नहीं है जो कि खेत में मेहुन्त करके घनाज पैदा करता है, धाब किसान बहुत नहीं जोकि जमीन को तोड़ता है, पानी देता है या बीज देता है, किसान तो

वह माना जाता है जिसके कि लिए लेखपाल और पटवारी के खसरा और खतीनी के रेकार्ड्स में दर्ज हो जाता है कि वह हल चला कर खेती करता है। इसकी किमान बल माना जाता है जिसके लिए लेखपाल और पटवारी अपनी कलम से रेकार्ड्स में दर्ज कर देते हैं कि वह खेती करता है। जब तक यह परिभाषा नहीं बदलती है तब तक उसको किसान नहीं माना जाएगा और उस वक्त तक न तो गरीबों की दशा सुधरेगी और न ही श्रीमन्, इस देश में धन की कमी को पूरा किया जा सकता है क्योंकि वह लोग जो कि वाकई में खेती करते हैं उनका उसमें कुछ हिस्सा नहीं होता है। केवल ४, ६ रुपये प्रति दिन मजदूरी देने में उनका भूखा पेट नहीं भर सकता है। शहरों में तो मजदूरों को रुपया अथवा डेढ़ रुपया मजदूरी मिल भी जाती है लेकिन मैं तो गांवों के खेत मजदूरों की बात कर रहा हूं जहां कि उनको केवल ६ आने या ८ आने मजदूरी मिलती है। कभी कभी उनसे बेगार भी ली जाती है। अगर केन्द्र की सरकार या राज्य सरकारें चाहती हैं कि देश में धन की पैदावार बढ़े और उन गरीबों की दशा सुधरे तो जमीन का बटवारा ईमानदारी के साथ होना चाहिए। अगर सरकार चाहती है कि उनकी दयनीय अवस्था में सुधार हो और खाद्यान्न की उपज देश में बढ़े तो फिर जमीन की मलकियत खेत मजदूरों को मिलनी चाहिए और खेत मजदूरों को घलाभकर जमीनों पर से लगान हटाना चाहिए। बंजर जमीनों को तुड़वाने के वास्ते सरकार को इन लोगों की एक फौज तैयार करनी चाहिए और उनको पैसा देकर बंजर जमीनों को तुड़वा कर खेती लायक बनवाया जाये और उनको उन पर बसाया जाय तभी देश में धन की उपज बढ़ सकती है। और उनकी अवस्था भी सुधर सकती है। बाली इस तरह के कानून से कोई फायदा होने वाला नहीं है।

Shri L. N. Mishra: Mr. Deputy-Speaker, Sir, I have listened with in-

[Shri L. N. Mishra]

terest to this debate on the Second Agricultural Labour Enquiry Report and I am glad to find that hon. Members of this House are so much concerned about the welfare of agricultural labour. Government too have been alive to the problem of agricultural labour and we also feel that we have still to do much to improve their plight. Hon. Members will find that in the Third Plan we have given special attention to the problem. We ourselves are not satisfied with what has been done so far for them. Shri Nagi Reddy made more a political speech than an objective one. He made special reference to the land reforms and said that we had not made any progress. I would request him to go through the Third Plan and see the progress made.

Shri Nagi Reddy: How much land has been distributed?

Shri L. N. Mishra: We lay stress on three or four things: abolition of zamindaris and intermediaries, consolidation of holdings imposition of ceilings and settlement of the surplus lands. Most States have gone ahead—almost all States—with legislations for abolition of zamindaries. There has been consolidation of holdings in a number of States. So far as the imposition of the ceiling is concerned, the programme is going ahead in almost all the States. So far as the settlement of the landless people are concerned, our policy is clearly stated in the Third Plan and the States have made provision for Rs. 400 crores for the settlement of landless people on surplus land and we think that by the end of the Third Plan we would have made good progress in this respect also.

Shri Muniswamy and Shri Dwivedy also spoke at length and they came to the conclusion that conditions of the agricultural labour in this country had deteriorated, instead of improved. They said that Government had been only passive witnesses. Before coming to this conclusion, I will request these two hon. Members and others also to examine this report from two or three

points of view. The basic factors must be taken into account before you come to this conclusion. Firstly, the concepts and definitions in the Second report are different from those in the First report. We have taken income as the basis in the Second report while employment was the basis in the first. The first difference in the concepts used concerns the definition of agricultural labour. In the first enquiry, an agricultural labourer was one who was employed for wages in the process of crop production. An agricultural family labour was defined as one in which either the head of the family or 50 per cent or more of the earners reported agricultural labour as their main occupation. In the second enquiry, an agricultural labourer has been defined to include labour not only employed in crop production but also in other agricultural occupation like dairy farming, horticulture etc. An agricultural labour family was defined as one which derived a major portion of its income from agricultural wages. The concepts are not the same nor are the definitions. Therefore, there is bound to be two different sets of conclusions. Therefore, it is not correct to say that the conclusions of the second enquiry are conclusive. In the earlier report, retail prices were taken into account while in the second wholesale prices are being taken into account. In the first report in 1950-51, we must remember that the production of crop was at a low ebb; there was a decline by about ten per cent. The prices were also rising. In the period of the second report, 1956-57, production of crop was rising; it rose by about thirty per cent and the prices generally came down by 7½ per cent and agricultural prices, by about ten per cent. Therefore, there are bound to be two different conclusions. If we do not take these basic factors into account, we will definitely accept that the condition of agricultural labour has deteriorated in this country. But we feel that the condition of agricultural labour has not deteriorated. The impact of the Plan, specially of the various schemes of the community

projects and river-valley projects and other projects of the Plan has been felt by this section also and therefore we do not accept that the condition of agricultural labour in this country has deteriorated during this period.

Further, it is also not correct to say that agricultural labour has not improved during this period. I would like to catalogue a few grounds on which I say this. The general economic conditions of agricultural labour households without land—this category of households was strictly comparable—showed improvement. The average household income of these categories of households increased from Rs. 393 to Rs. 402 for casual households, and from Rs. 472 to Rs. 525 for attached households. Secondly, wage-paid employment of adult males increased from 218 days to 222 days, and that of women from 134 to 141 days. Thirdly, the increase in indebtedness was largely the result of increased borrowing for production purposes. What are the purposes of borrowing? The first purpose is production. In 1950-51, it was Rs. 10 and in 1956-57, it was Rs. 26. So, there is increased borrowing for production purposes. So far as consumption is concerned, it was Rs. 78 in the first period and Rs. 64 in the second period. For social purposes, it was Rs. 17 in the first, and Rs. 33 in the second.

Then I shall turn to the suggestions made by Shri N. R. Muniswamy for improving the plight of agricultural labour. I accept there is scope for it; there is reason for it and there is justification for it. The chapter on agricultural labour in the third Plan gives a catalogue of improvements which the Government have in mind in regard to the plight of agricultural labour. The Government is also aware of the problems of agricultural labour, and the second Agricultural Labour Enquiry Committee suggested certain measures which the Government should implement. We think they are wholesome and we want to follow some of the measures actively to improve the plight of agricultural

labour. I would now like to state a few of the improvements which the Government have in mind. Firstly, in view of the limited opportunities for employment of the agricultural labourers and prevailing under-employment for a part of the year, efforts will be made to provide employment facilities through the development of rural cottage industries. Secondly, intensive cultivation of existing lands and extension of cultivation to culturable wastes will be undertaken in order to increase the employment opportunities for agricultural workers. Thirdly, a proper utilisation of rural manpower will be achieved through the various works projects in the third Plan such as irrigation, flood control, land reclamation, afforestation, soil conservation, road development projects, and other construction works. You know that we are taking up some pilot projects to improve the employment situation and we felt that these projects which are called labour intensive projects will go a long way to improve the situation and relieve the unemployment problem, so far as agricultural labour is concerned.

Shri N. B. Maiti (Ghatal): Is it from this year?

Shri L. N. Mishra: During the third Plan. Then, agricultural labourers are exposed to chronic indebtedness. Proper enforcement of the laws meant for giving relief from indebtedness will be ensured. Then, the Government of India have already set up a Central Advisory Committee on agricultural labour, and this committee will take a comprehensive view of all the problems of agricultural workers and suggest suitable remedies for ameliorating their conditions.

Mention was about the third agricultural labour enquiry committee. We will have a third Agricultural Labour Enquiry Committee, and we have taken a decision on it. The work will start by 1962-63 and by the time the third Plan period is over, we will have the report from the third Enquiry

[Shri L. N. Mishra]

Committee. I believe that the third Agricultural Labour Enquiry Committee is going to be more educative and more broad based, and that it will give a better picture of the situation and a more realistic picture too.

I believe, this is going to be an improvement on both the first and the second Agricultural Enquiry Committee.

Sir, the debate of the day has been very very fruitful and beneficial to both the sides. So far as the report of the Second Agricultural Labour Enquiry Committee is concerned, it is a good work and in certain respects it is a masterpiece also. But I will only say that it will not be fair to come to conclusive conclusions that the condition of agricultural labour in India has deteriorated because some of the figures that are given in the report are like this; we must look into some of the basic facts which I stated earlier.

Shri N. R. Muniswamy: Mr. Deputy-Speaker, at the outset, I would like to express my grateful thanks to the many hon. Members who have participated in the discussion and also given concrete suggestions which are worth considering by the Government.

The hon. Deputy Minister was pleased to say that there has been a slight misunderstanding of the actual position of the agricultural labour. You will be pleased to see that our observation about the deteriorating conditions of the agricultural labour was based on the two reports given to us. After reading the two reports the impression that we gather is not very happy. I only said that the impression is not very happy, for this reason that there is not much improvement and, as a matter of fact, it is going somewhat from bad to worse. The first report had adopted a certain criterion. The second report adopted some other criterion. It is no fault of ours if they adopted two different criteria to find out the condition of the agricultural labour and suggest remedies to

improve their conditions. We are not to be held responsible for arriving at this conclusion because our conclusion is based on these two reports which have adopted two different criteria. Our conclusion will also be of a conclusive nature, and if we conclude that the condition is deteriorating it is not our fault, it is the fault of the premises that have been adopted by the two reports.

The hon. Deputy Minister said that in the first report they adopted income as the basis and in the second report they have taken employment. There was no reason for them to adopt two different criteria and come to different conclusions. So it was basically wrong on their part to have adopted two different criteria and arrived at different conclusions. So there is no mistake on our part to have arrived at this conclusion.

I am very happy to learn that our conclusions are wrong and according to the Deputy Minister the conditions are much better. I appreciate the position. The sample survey was not conducted all over the country. The sample survey, by the very nature of it, is meant only for a few villages, a few holdings or a few selected areas. If the conclusions we arrive at or the decisions we take on the basis of the data we collect are different from what the actual position is in the other areas where no sample survey has been conducted, we cannot be balanced for that. The reason is that the survey is not conducted all over India. If the survey is conducted all over India it may give a different impression altogether. It is all because of the sample survey that is conducted. There is bound to be some mistakes and some erroneous conclusions.

Therefore, let us have a third report. Let us have a report once in five years or even ten years, because this is supposed to be the primary industry of the country on which everybody depends. The rural economy has to be improved to see that the economy

of the country as a whole is improved. For that reason I would request the new Enquiry Committee to adopt a criterion which we can understand.

As regards indebtedness the hon. Deputy Minister said that the indebtedness is due to various causes, the purposes are different etc. It may be true. All the same, the agricultural labourer has to incur debts either for education of his children or for the wedding of his daughter or for his own second or third marriage—because he must have human power to improve his agricultural operations. For that purpose, he has to incur certain debts and these debts are of such a nature that he is not able to repay. Therefore, I would suggest that agriculture should be subsidised. Because, an agricultural labourer does not get employment all the year round. He is engaged only for 4 or 5 months and for the rest of the 7 months he has no work. Therefore, some ancillary industries should be started to help them, because they are already very much indebted.

Lastly, I come to intensive cultivation. The hon. Minister was pleased to refer to intensive cultivation. Evidently, he means scientific cultivation. Here people are owning only half an acre or one acre of land, or one or two bighas of land. We cannot have scientific cultivation or cultivation of the intensive type, because our agriculturists are not having large areas. Therefore, I suggest that people who are having small holdings of 1 or 2 acres or bighas of land must be given some sort of help. With these observations, I commend the motion for the acceptance of the House.

Mr. Deputy-Speaker: The question is:

"That this House takes note of the Report of the Second Enquiry on Agricultural Labour in India (Vol. I—All India), laid on the Table of the House on the 21st December, 1960."

The motion was adopted.

BUS-TRAIN COLLISION AT MADURAI*

Mr. Deputy-Speaker: The House will now take up the half-an-hour discussion.

Shri Tangamanj (Madurai): The necessity for this half-an-hour discussion arises out of the answer given on the 11th August 1961 to Starred Question No. 405 regarding the bus-train collision at Madurai. I shall briefly explain the circumstances that led to this accident and also the reasons which prompted me to come forward with the demand for a half-an-hour discussion and I hope that the Minister will go into greater detail about the various aspects and see that justice is done to those people who suffered and that there is some check or some preventive measure is taken against this kind of collision in future.

In reply to my question, the hon. Deputy Minister of Railways, Shri Shahnawaz Khan, stated:

"At about 13.55 hours on 27-2-61 (and not on 22-2-1961) while train No. 187 Madurai-Rameswaram Down Passenger was on the run between Madurai East and Silaiman stations, a city bus collided with the train at an unmanned level crossing. As a result of this accident, 2 occupants of the bus died and eight others were injured seriously."

Here I shall say that out of the two people who died, one is a textile worker. He died, leaving five children and he was the sole bread-winner for that family. The other was a student who was travelling with his mother, and the mother witnessed the boy being crushed to death. Eight others were injured seriously. I had occasion to meet almost all these seriously injured persons and none of them was in a fit position to continue any avocation.

Then I asked whether any compensation has been paid to the families. The reply was "No, Sir". Then I wanted to know whether steps have

Shri Tangamani: Yes. Then he says:

"The cost of the provision of gates and carrying out other incidental improvements to the level crossing as stated above should be borne by the local Road Authorities only, since as per rules in force on the Railways, any improvements to an existing level crossing owing to increase of road traffic can be taken up only at the cost of the Road Authorities.

The local Municipality, who is the road authority in this case has been addressed to bear the above charges and necessary further action will be taken in the matter on hearing further from them."

Now six months have passed and we are told that we are in correspondence with the local authorities. I want to know whether another accident should take place before some gate is put up there. People do not want accidents to happen everyday. So, actually what is happening is that by turn people are keeping a watch at the gate. This is the unfortunate thing that is happening because they do not want to lose lives. The Railways are uncooperative. They are addressing the Municipal Corporation. I do not know what the Municipal Corporation are wanting. Any normal human being going to that area will say that for having left an un-manned gate all these days, the Railway authorities must be penalised. That is the position. Today the Railway General Manager says that this is an improvement. If an overbridge or underbridge is built, I can understand that that will be an improvement. This is not one of those C Class level crossings. It ought to have been upgraded already. On a previous occasion—I am not able to put my finger on the exact date—we were told in this House that there are about 31,000 level crossings. Out of them, 12,000 are manned and 19,000 un-manned. Year by year we are upgrading them.

This is a gate which ought to have been upgraded. If, today, they are not going to upgrade it, I am only sorry about the obstinacy of the Government and the Ministry and the way they are not able to see these things.

I remember there was a Railway Accidents Enquiry Committee report in 1954. Appendix E, page 49 of the report of the Reviewing Committee (Review of the Report of the Railway Accidents Enquiry Committee—1954), item 11 deals with collisions between trains and road vehicles at a manned level crossing. They deal only with manned level crossings. From 1-1-53 to 10-1-54, there were 27 accidents of which 6 were in the Southern Railway, that being the highest, three each in the Eastern and Western Railways, five each in the Central, Northern and North-Eastern Railways. There were several recommendations also. Probably, they did not know or they did not apply their mind to accidents which take place in these so-called un-manned gates.

There was another interesting discussion as to what these manned gates and un-manned gates are. In reply to Starred Question No. 1316 dated 17th March 1959 by Shri S. M. Banerjee, whether a truck collided with a goods train at a level crossing near Salampur on 26-2-59, we were told, Yes; four people were killed and one injured. There is then a rigmarole about manned and un-manned gates. Ultimately, the Speaker intervened and said, he must say whether there is a door for it or not, whether there is an automatic opening or not. Ultimately, he said, there is no gate, there is no man there.

Finally, I think, sometimes, the impression that gathers round is that an un-manned gate may be a gate, may be a level crossing which has got a gate, but there is no man there, because the railway station is adjoining. I believe there are two or three types of gates: engineering gate, traffic gate, etc. Some gates are not manned by a man on the spot,

[Shri Tangamani]

because, the man comes from the railway station. The pointsman may be deputed. As soon as he finds that the train has gone, he closes it. That is one type. Here, it is completely deserted, what we call in Tamil 'anadi' gate: nobody worries about anything that happens in that part of the world. That happens in a desert. This is right in the city of Madurai where the road traffic is heavy, where the rail traffic is heavy. This callousness, I submit, must end.

Another point which I would like to make and on which I want an answer is whether any enquiry has been held by the Ministry and what is the result of the enquiry and whether as a result of that accident, any compensation has been paid to any of these people, and if there has been a claim for compensation, whether they have at least collected the money from the company. The T.V.S. Bus company, namely the Southern Roadways—they are also very rich people, probably one of the biggest road transport operators in the whole country. It is only a private limited concern, a family concern. I think they run trucks, city buses and passenger transport—about 700 or 800 buses—probably the biggest fleet owner in this country. I do not grudge that. At least they will be in a position to pay. Whether the Railways are quarrelling with them or they are quarrelling with the Roadways, in that process, the families of the two people who were killed, have been stranded, and 8 persons who were seriously injured are not getting any benefit. I would like to know whether any such thing has been done. I would like to know whether, at least now, six months have passed since the accident took place—the Government and the Ministry will see to it that immediately a level crossing is properly put with gates and manned also, so that there will not be at least future accidents in this area.

Mr. Deputy-Speaker: Shri N. R. Muniswamy; one or two questions.

Shri N. R. Muniswamy (Vellore): I will ask one or two questions. After hearing the speech, I find that the initial responsibility evidently does not lie with the Ministry. I would like to put this question. On whom does responsibility lie? When a particular individual runs a train, it is a dangerous thing and it must be safeguarded that injury is not caused to anybody. Whatever may be the ingress, that the road is passing through a municipality, whether it is manned or un-manned, is it no man's responsibility? As long as it is un-manned, the responsibility is no man's responsibility according to them. I would only request that the railways must take the responsibility of manning it and see that they do not cause any injury to anyone who might pass that way unwarily. I only want that responsibility should lie with them or with anybody else. I would also like to know on whom the responsibility lies, according to law.

Shri Bibhuti Mishra (Bagaha): Is there any scheme with the railway authorities to construct underground bridges or over-bridges so that such accidents may not happen? In my district, a train collided with a bus and two people died. This kind of accident happens usually.

Shri N. B. Maiti (Ghatal): May I enquire whether the road was built before or after the railway was constructed?

Mr. Deputy-Speaker: Would that make a difference in avoiding accidents?

Shri N. B. Maiti: The difference would be this. If the railway line was laid afterward, then it was the duty of the railways to fix up the gate and also man it, because it was encroaching on the road and it had come up afterwards.

Shri Narasimhan: When such accidents take place, resulting in

deaths, is there a kind of police enquiry to determine the responsibility of the railways versus the bus, and do they give any report as to who was neglectful, whether the driver of the train or the driver of the bus?

Shri Subbiah Ambalam (Ramana-thapuram): In view of the fact that this level-crossing is in the midst of the city of Madurai and also in view of the fact that there is a lot of bus traffic as well as railway traffic, may I know whether Government will sponsor a scheme or investigate the possibility of constructing an over-bridge in this area?

Shri S. V. Ramaswamy: At the very outset, I would express sympathy to the bereaved families. Nobody wants to have an accident, and untimely or premature death is a thing which we all abhor. If we can avoid accidents, it is altogether good. But, at the same time, I would like to submit that in this case, no claim for compensation is admissible, because the accident occurred in broad daylight, when the bus driver crossed the railway track with a train at very close range and there was no negligence on the part of the railways.

My hon. friend has put a series of questions. A claim for Rs. 45,000 was received from the widow of one of the deceased, namely Mr. Subbiah Naidu, but it was repudiated.

My hon. friend here has asked something else. He asked whether there was an enquiry by Government. As soon as an accident happens, just as in the case of a road accident, the driver is supposed to report to the nearest police station as to how the accident has happened, likewise, we have got regulations under which the driver and the guard have got to report to the next railway station as to what happened and so on. And depending upon the nature of the accident, a junior-scale officer's

enquiry or a senior-scale officer's enquiry is held, and we get their reports. It is on the basis of these things that it has been found that there has been no negligence on the part of the railways.

Shri Tangamani: In this case, who instituted the enquiry, and who conducted the enquiry?

Shri S. V. Ramaswamy: We ourselves conducted the enquiry. On the report of the engine driver and the guard, we ourselves instituted the enquiry.

Shri Tangamani: Was it by the Government Inspector of Railways?

Shri S. V. Ramaswamy: There was one by the police. The State authorities have their own separate enquiry.

So far as this case is concerned, my hon. friend has been labouring under a difficulty. First of all, there is no liability on the part of the railways. It was purely negligence on the part of the bus driver. Now, this is not a case of any train collision or train accident, and, therefore, it will not come under the Indian Railways Act, that is, section 82(a) to 82(j). If at all any claim lies, it will lie under the Indian law of torts or the Indian Fatal Accidents Act of 1855, in which case, they will have to prove negligence on the part of the railways. It is up to them.

Shri Narasimhan: Was there a railway in 1855?

Shri S. V. Ramaswamy: I think they were just starting. It is an old Act of 1855, called the Indian Fatal Accidents Act. It covers this also.

Now, let us see the broad picture, let us have a realistic approach. My hon. friends asked: is there any question of manning these immediately? The broad facts are these. We have in the railway system 35,000 route miles and about 50,000 track miles. We have

[Shri S. V. Ramaswamy]

got 31,600 level crossings. Of these 12,600 are manned; about 19,000 are unmanned. It is not as if we want to inconvenience anybody. When the railways are laid, we consult the State authorities as to what should be done and where. Subsequently if within ten years there should be any alteration, then also we do it, but if after that development takes place, it is a matter for consideration whether anything should be done, not by the railways alone, because, as you are well aware, towns expand, population increases, what was a wilderness is now a growing town, as in this case in Madurai. This is one of the suburbs, about four miles away from the heart of the town. One or two years back I believe the municipality extended their limits and that is why this remote village comes within the municipal limits. Now they say this is an unmanned level crossing, therefore it must be made a manned one.

Hitherto the traffic was very little. There was no bus traffic. Perhaps it was a cart track. Therefore, there was no need for manning at all.

The point I wish to urge is that each one of the level-crossings cannot be separately taken up and dealt with *ad hoc*. A principle has got to be laid down. If these 20,000 crossings are to be converted into manned as my hon. friends would like, it would involve a colossal amount of money. On an average each level-crossing with gate lodges and quarters for the gate-men roughly costs about Rs. 10,000. On capital account alone it will come to Rs. 20 crores for the railways. Then the recurring expenditure of salaries of gate-men will come, on an average to about Rs. 5,000 per level crossing. That again will come to about Rs. 10 crores by way of recurring expenditure.

The question is: firstly, whether the railways can afford this; secondly, whether the railways should bear this; thirdly, in view of the statistics

with regard to the accidents, whether it is justified. I will just give the statistics.

As I said, it gives no pleasure to anybody that people should die by accidents. We would very much like that there are no accidents at all, but surprisingly enough, they are few considering the vast network of railways and the number of trains that we run. We run about 4,600 passenger trains and about 2,500 goods trains per day, in all about 7,000 trains per day running round the clock.

Since we are dealing with the unmanned crossings, I will leave out the manned ones and give the figures. In 1957-58 the number of accidents was 92; number killed 22, injured 115. In 1958-59, the number of accidents was 95; killed 26, injured 71.

Shri Narasimhan: For the whole of India?

Shri S. V. Ramaswamy: For the whole of India.

In 1959-60 the number of accidents was 88. It has come down. The number killed was 11, injured 84. So, the figure is slowly coming down. I am sorry I have not got the figures for 1960-61, but there is a steady decline in the accidents even at unmanned level crossings.

In view of this, in view of the number of trains, in view of the number of track miles, in view of the road traffic, in view of the pedestrian traffic and so on and so forth, my very humble submission is that accidents are not very large. And to meet this to incur an expenditure of Rs. 20 crores on capital account and Rs. 10 crores recurring would not at all be justified.

There has been development of cities and towns. Villages become towns, towns become cities and cities metropolises.

In view of all this what is it that should be done? It is a Welfare State in which we have to look to the convenience of the people, no doubt. It is not as if railway traffic alone has increased. It must also be taken into consideration that road traffic has also increased. If road traffic has increased, if cities have grown, if there are more and more buses, if people from outlying areas have also been tagged on to municipal limits, are the Railways solely responsible to meet this charge?

On the analogy of the case for over-bridges and under-bridges which question has been raised in this House by my hon. friends, a policy decision has been arrived at after consultation with the Ministry of Transport and the Planning Commission.

We are talking of unmanned level-crossings and thinking of converting them into manned ones. There is also the other case of having over-bridges or under-bridges and removing the level-crossings altogether. Then, what is the policy?

The policy is this. If the railway track traverses a National Highway, then, it is for the Ministry of Transport to build up the approaches on either side and the Ministry of Railways would cover only the track with the over-bridge. It has been accepted. The liability of the Railways is limited strictly to the bridge over the track. If it crosses a State highway, then the State Government has similarly to build the approaches. If it is within municipal limits the municipality must find the necessary funds.

As a matter of fact, the Planning Commission has gone to the assistance of these local authorities. They find that sometimes the local bodies may not have the necessary finances to meet the expenses of constructing the approaches. Therefore, they have circumscribed the State Governments that

they have set apart some moneys from which they can take a loan for the purposes of constructing these over-bridges and end approaches. That is the extent to which the Planning Commission has gone. Therefore, in the matter of the over-bridges and the under-bridges, the liability and the responsibility of the Railways is strictly limited to the boundaries of the railway property, i.e., constructing the over-bridge over the railway in order to link up the two approaches.

So, by a parity of reasoning I would urge that it is necessary that where the increase is due to road traffic, there must be an understanding between the two authorities to effect the necessary improvement to relieve congestion. That, I submit, is a sound proposition which is worth considering.

It is in this connection that the Railways are in communication with the Madurai Municipality.....

Shri Tangamani: There is the question of manning this level-crossing.

Shri S. V. Ramaswamy: We have to find out what is it that they are prepared to pay for.

My hon. friend, Shri Muniswamy asked me, who is liable. Is it not the case that people who run the railways are liable? I put the question the other way. If people run into the trains who is liable? That is our case. These drivers are reckless.

An Hon. Member: In this case it was open daylight.

Shri S. V. Ramaswamy: We know how reckless the motor drivers are.

Shri Tangamani: They would not have done this if there had been a gate. I would only invite the hon. Minister to go to the place and see things himself.

Shri S. V. Ramaswamy: I shall be there during the AICC Session and see.

Mr. Deputy-Speaker: Would the discussion be postponed till that time?

Shri S. V. Ramaswamy: No, Sir. The hon. Member was inviting me to come and see it and I accepted the invitation and I gave him the time.

Mr. Deputy-Speaker: Is it an invitation for the Ministers only or for others also?

Shri S. V. Ramaswamy: You are most welcome, Sir..... (*Interruptions*).

Shri C. R. Narasimhan: Visitors should avoid accidents at that site.

Shri S. V. Ramaswamy: My friend, Shri Maiti asked the question whether the road came first or the railways came first. It is a very pertinent question; the railways were there long ago.....

Mr. Deputy-Speaker: Pertinent, because it supports the railways?

Shri S. V. Ramaswamy: I was submitting that the crossing was unmanned because there was no traffic. We are taking precautions.....

Mr. Deputy-Speaker: The 20,000 unmanned crossings are not manned at one time. The railways would be taking up a few every year? Is that the position?

Shri S. V. Ramaswamy: It is a matter of negotiations. If we find that traffic density has increased....

Mr. Deputy-Speaker: That is the case of Shri Tangamani.

Shri N. R. Muniswamy: There is also a curve, Sir, and nobody could see the coming train.

Mr. Deputy-Speaker: That was the second reason.

Shri S. V. Ramaswamy: I submit that the road traffic density has increased.

Mr. Deputy-Speaker: Therefore, the road and the railways should come together.

Shri S. V. Ramaswamy: It is a matter for probing into; we should probe into the situation, find out the difficulties and resolve them.

Mr. Deputy-Speaker: Shri Tanga-
mani would not be able to do that; he
would not be able to bring together
the road and the railways.

Shri S. V. Ramaswamy: We, on our part are communicating with the Madurai Municipality to see what could be done.

Mr. Deputy-Speaker: The discussion is closed. The House stands adjourned.

17.28 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, September 1, 1961 Bhadra 10, 1883 (Saka)

Thursday, August 31, 1951 Bhadra, 1933 (Saka)

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2945	Houses constructed under Industrial Housing Scheme in Kerala	6135-36
2946	Price of cloth in U.P.	6136
2947	Government Press at Koratti in Kerala	6136-37
2948	Middle Income Group Housing Scheme	6137
2949	Spinning system	6137-38
2950	Village Housing Schemes in Bihar	6138
2951	Ejection of refugees from Mikir hills	6138-40
2952	Export of shoes	6140
2953	Irregularities in issue of licences	6140-41
2954	Companies (Amendment) Act, 1960	6141
2955	Central Training Institute for Instructors	6141
2956	Flats in Sarojini Nagar, New Delhi	6142
2957	Steel quota for Delhi and other States	6142
2958	Soviet technique of constructing houses	6143
2959	Iron cast plant	6143-44
2960	Development of border districts in U.P.	6144
2961	Conference of Secretaries of Planning Departments of States	6145
2962	Central Instructor Training Institute, Madras	6145-46
2963	Textile mill owners	6146

**WRITTEN ANSWERS TO
QUESTIONS—contd.**

U.S.Q. No.	Subject	COLUMNS
2964	T.A. and D.A. of Ministers	6146-47
2965	Manufacture of ploughs	6147
2966	Commonwealth Press Union Fellowship Scheme	6147-48
2967	Indian trade by air	6148
2968	Automatic machine for type setting	6148-49
2969	Documentary films	6149-50
2970	Electrical goods	6150-51
2971	Gorakhpur Labour Organisation	6151
2972	Trainees sent abroad	6151-52
2973	Import of steel for Small Scale Industries	6152
2974	Short Term Social Welfare Course	6152-53
2975	Workers rendered jobless due to closure of mines	6153
2976	Slum dwellers in Delhi	6154-55
2977	Polish films	6155
2978	Price of cotton	6155
2979	Hindustan Cables Ltd.	6155-56
2980	Television	6156
2981	Per Capita expenditure	6157
2982	Hindustan Machine Tool Factory	6157
2983	Work charged staff of C.P.W.D.	6157-58
2984	Electric connections in quarters	6158
2985	Industries in Dandakaranya	6158-59
2986	International Silk Congress	6159
2987	Survey of Ancillary industries in Madras	6159-60
2988	Export of iron ore to Czechoslovakia	6160
2989	Prices of cotton textiles	6161
2990	Muslim places of worship in Calcutta	6161-62
2991	Slum clearance	6162-63
2992	Class IV staff quarters on Punchkuin road, New Delhi	6163-64
2993	Rent for Government quarters	6164-65
2994	Watch manufacture	6165
2995	Industrial Training Institute at Imphal	6165-66
2996	P. M.'s visit abroad	6166
2997	All India Radio	6166-67
2998	Khas Kajora collies, West Bengal	6167-68

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2999	Central Information service	6168-69
3000	Pay scales of scientists	6169-70
3003	Retirement benefits for Rubber Board employees	6170
3004	Fall in the prices of cashew nuts	6170
3005	Export of coir goods	6170-71
3006	Indian tea for Amsterdam auction	6171-72
3007	Working group on tea	6172
3008	Employees' State Insurance scheme	6172

MOTION OF NO-CONFIDENCE IN THE COUNCIL OF MINISTERS

Shri Braj Raj Singh gave notice of a motion of no-confidence in the Council of Ministers. The Speaker asked those members who were in favour of leave being granted to rise in their places. As less than fifty members rose, the Speaker declared that the member did not have the leave of the House.

6172—81
6182 87

PAPERS LAID ON THE TABLE 6181, 6188-89

- (1) A copy of the Report of the Indian Delegation to the 18th Session of Contracting Parties to the General Agreement on Tariffs and Trade held in Geneva from May 15 to 19, 1961.
- (2) A copy each of the following papers :
 - (i) Annual Report of the Hindustan Machine Tools Limited for the year 1960-61 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 639 of the Companies Act, 1956.
 - (ii) Review by the Government of the working of the above Company.
 - (iii) A statement showing the amount of aid sanctioned and disbursed during the financial years 1960-61 and 1961-62 by the Inventions Promotion Board.

PAPERS LAID ON THE TABLE—contd.

COLUMNS

- (3) A copy of the Employees' Provident Funds (Sixth Amendment) Scheme, 1961 published in Notification No. G.S.R. 1033 dated the 12th August, 1961 under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952.

REPORT OF COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE PRESENTED

6189

Twenty-fifth Report was presented.

BILLS INTRODUCED 6189-90

- (1) The Deposit Insurance Corporation Bill, 1961.
- (2) The Appropriation (No. 4) Bill, 1961.

BILLS PASSED 6190—6230,

- (i) Further discussion on the motion for consideration of the Indian Penal Code (Amendment) Bill, 1961 and amendment thereto moved on 30-8-61 continued. The Minister of Home Affairs (Shri Lal Bahadur Shastri) replied to the debate. The House divided on the amendment for circulation of the Bill, Ayes 22: Noes 116 and the amendment was negatived. The motion for consideration was taken up. Clauses 2 to 4 and 1 were adopted and the Bill was passed. 6246—72, 6230—46
- (ii) The Minister of Information and Broadcasting (Dr. Keekar) moved for consideration of the Newspaper (Price and Page) Continuance Bill. The motion was adopted and after clause-by-clause consideration the Bill was passed.

BILLS UNDER CONSIDERATION 6272—74

The Deputy Minister of Law (Shri Hajarnavis) moved for consideration of the Representation of the People (Amendment) Bill, 1961. The discussion was not concluded.

**MOTION RE: REPORT OF CALUMNS
SECOND ENQUIRY ON
AGRICULTURAL LABOUR
IN INDIA** . . . 6275—6321

Shri N. R. Muniswamy moved the motion re : Report of the Second Enquiry on Agricultural Labour in India. Shri N. R. Muniswamy replied to the debate. The motion was adopted.

**HALF-AN-HOUR DISCUS-
SION RE BUS-TRAIN
COLLISION AT MADURAI—contd.**

given on the 11th August, 1961 to Starred Question No. 405 regarding Bus-train Collision at Madurai.

The Deputy Minister of Railways (Shri S. V. Ramswamy) replied to the debate.

**AGENDA FOR SEPTEMBER
1961/BHADRA 10, 1883
(SAKA)**

Further discussion on and passing of the Representation of the People (Amendment) Bill, 1961. Privat: Members' Bills.

**HALF-AN-HOUR DISCUS-
SION RE. BUS-TRAIN
COLLISION AT MADURAI** 6322—36

Shri Tangamani raised a half-an-hour discussion on points arising out of the answer